

The News of the Home Builders Association of West Florida

CORNERSTONE

July 2016

How to Comply and Mitigate the Effects of the Overtime Rule

page 8



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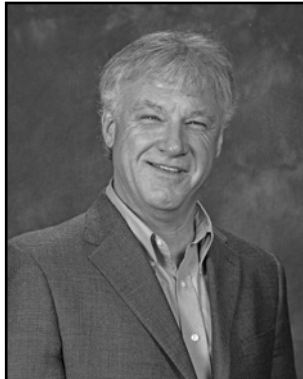
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Cornerstone

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Home Builders Association of West Florida



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CALL FOR CENTRAL SITE PROPOSALS FOR THE 2017 PARADE OF HOMES

The Home Builders Association of West Florida (HBA) is soliciting proposals for the 2017 Parade of Homes Central Site. The Parade of Homes is set for May 6 - 14, 2017. A special Parade of Homes Central Site Selection Committee will make the selection. Please note: This Central Site submission should be in completely developed or in the process of being developed. If you have any questions call HBA Executive Director David Peaden at 476-0318.

CRITERIA FOR CENTRAL SITE SELECTION

- I. Deadline for proposal submission – Thursday, July 21, 2016
- II. By November 2016, the subdivision shall be at that point of development which a contractor can start construction after obtaining building permit. In addition, the streets must be paved, and electricity and water must be available (hot) and in working order. Failure of the aforementioned shall result in a \$2,500 penalty, payable by the developer to the HBA of West Florida.
- III. Developer is encouraged to commit to a Parade of Homes Central Site Core and shall include: Parade lot contracts and/or recorded restricted covenants, and in fact compel, a specifically enforceable provision prohibiting non-Parade homes from being constructed in the core until after the 2016 Parade of Homes.
- IV. If developer doesn't want a Parade of Homes Central Site Core and only wishes to have the American Dream Home built in the subdivision, (or any other options) please specify.

The following information is needed in order for the Selection Committee to make its decision. You will find that some of the items state "if any" and the end of a sentence. Keep in mind that the more you can assist with funding issues, the better your chances. In other words, give your best shot at the time of submission because the committee does not get into "bargaining." It would not be fair to all participants.

- V. Proposals must include or address:
 - A. Plat of subdivision with available lots indicated
 - B. Lot prices with discount consideration for Parade builder, if any
 - C. Donation or discount of American Dream Home lot to the Home Builders Association.
 - D. Lot financing arrangements for Parade builders, if any
 - E. Construction financing arrangements via bank for Parade builders, if any
 - F. Availability of sewer and cost of water & sewer taps and cost of impact fees
 - G. A copy of the restricted covenants and related documents
 - H. Parade week parking plan (parking layout, traffic control plan)
 - I. Participation in the payment of parking/traffic control costs, if any
 - J. Parade of Homes promotional/advertising incentives paid to HBA, if any.
In the past, a developer has assisted with promotional/advertising expenses or split the expenses with the HBA.
 - K. The site must be clean of trash, and the streets must be cleaned before the start of the Parade of Homes.
 - L. Sponsorship of the Parade of Homes Kick Off Event, if any
 - M. Other considerations that you would like to convey.

Please be advised that no proposals will be accepted after the deadline, and that your proposal must be complete in order to receive consideration. The Committee's selection will be final.

President's Message



PARADE OF HOMES
HOME BUILDERS ASSOCIATION OF WEST FLORIDA

“The Parade of Homes is set for May 6-14, 2017. A special Parade of Homes Central Site Selection Committee will make the selection.”

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The Home Builders Association of West Florida and Classic Homes of Pensacola, LLC, would like to thank the business who contributed to the overall success of the Dream Home.

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PARADE OF HOMES
HOME BUILDERS ASSOCIATION OF WEST FLORIDA

How to Comply and Mitigate the Effects of the Overtime Rule

Despite strong opposition by NAHB and other leaders in the nation's small business community, the Department of Labor (DOL) last month issued its final overtime rule, which will more than double the current overtime salary limit of \$23,660 to \$47,476.

Set to take effect on Dec. 1, the rule will have significant ramifications for many employers, including home building firms and non-profit organizations such as local and state HBAs.

NAHB has prepared an FAQ to help our members better understand and to comply with the rule. In addition, a webinar replay is now available to help you:

- Learn what employers need to know before Dec. 1.
- Find out which staff will be due overtime.
- Assist NAHB's advocacy efforts on this issue.

Rule Meant to Help Workers Could Harm Them

Most small businesses, including the vast majority of home building companies, operate under tight margins. The huge spike in the overtime threshold could force many employers to convert salaried employees to hourly workers in order to remain solvent. Many employers will be forced to scale back on pay and benefits, as well as cut workers' hours, in order to avoid overtime requirements and remain in business.

Though the rule is intended to help workers, many could wind up earning less money than they were making previously, and lose the workplace flexibility that comes with being a salaried employee. The rule will also reduce job-advancement opportunities and the hours of full-time construction supervisors, leading to construction delays, increased costs and less affordable housing options for consumers.

Under the new standard, the salary threshold will be indexed to inflation and adjusted every three years, forcing employers to go through this process on an ongoing basis.

NAHB continues to lead the effort to urge Congress to quickly pass the Protecting Workplace Advancement and Opportunity Act (House bill H.R. 4773 and Senate bill S. 2707). The legislation would force the Department of Labor to withdraw this rule until it has considered the effects it would have on small businesses, consumers, workers and the economy.

A Bad Rule that Could have been Worse

The Department of Labor originally proposed to raise the annual salary level to \$50,440 to determine if an employee can be exempt from overtime eligibility. NAHB lobbied intensely to get this level reduced and delayed, and in the end achieved a number of improvements in the final rule, including a relatively modest lower threshold of \$47,476.

Crunching the numbers, NAHB economists estimate that raising the overtime salary threshold to \$50,440 would allow more than 116,000 construction supervisors to become overtime-

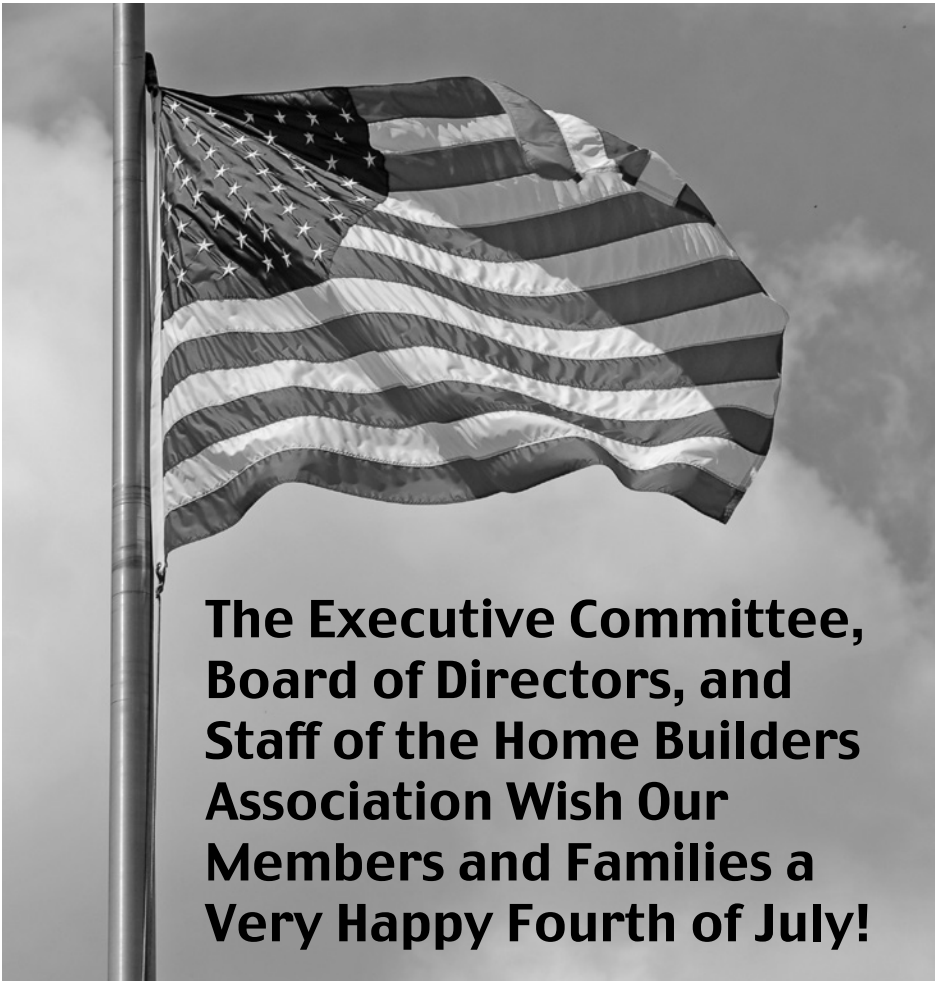


eligible under this rule. The final threshold of \$47,476 impacts 97,213 supervisors.

The difference is significant. In a survey conducted by NAHB last summer, 27% of affected builders said they would respond to the change in the overtime threshold by raising the supervisor's salary to the new threshold. Thus, an estimated 27% of the 97,213 supervisors would have their salaries raised to \$47,476 instead of \$50,440. This is a savings of \$2,964 per worker, or \$77.8 million in labor costs in 2017 because the rule does not take effect until Dec. 1.

For more information, contact NAHB's Suzanne Beall at 800-368-5242 x8407.





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2016 HOME & PRODUCT EXPO INTENT TO EXHIBIT FORM

Fax Form To:
850-494-9764

SET-UP

- THURSDAY, AUGUST 18th 7:00 a.m. – 7:00 p.m.
- FRIDAY, AUGUST 19th 7:00 a.m. – 10:00 a.m.

OPEN TO PUBLIC

- FRIDAY, AUGUST 19th 1:00 p.m. – 6:00 p.m.
- SATURDAY, AUGUST 20th 10:00 a.m. – 6:00 p.m.
- SUNDAY, AUGUST 21st 12:00 p.m. – 5:00 p.m.

TAKE DOWN

- SUNDAY, AUGUST 21st 5:00 p.m. – 10:00 p.m.
- *Additional time on Monday (22nd) for large displays only! This will require a deposit of \$250.00 See Rules for explanation.*

* All Booths must be complete by 10:00 a.m. on Friday, August 19th!!
Judging will take place from 10:00 a.m. until 10:45 a.m. Friday, August 19th.

RETURN this form to secure your booth space.

YOU WILL RECEIVE AN INVOICE FOR 50% PAYMENT DUE UPON RECEIPT. YOUR BALANCE WILL BE DUE NO LATER THAN JULY 15, 2016.

*Form must be returned to hold space
No holds by phone or email will be accepted.*

Priority Booth Reservation Deadlines

Open Reservations will begin on June 4th for all booths not reserved during priority reservation period.

*Open reservations are accepted on a first-come, first served basis.
Booth selection is based on availability at time of reservation.*

Please list the booth(s) that you would like to reserve. If multiple, please list together.				Booth numbers/rates located on the Floor Plan.
<i>Example:</i>	Booth(s) Choice #1:	Booth(s) Choice #2:	Booth(s) Choice #3:	
D57/D58/D59				

Company Name: _____ Contact Name: _____
 Contact Phone: _____ Contact Fax: _____
 Contact Email: _____

YES! We would like to reserve a booth(s) for the 2016 Expo. We understand that this form is for notification of intent and our booth(s) is not secured until it has been confirmed by the HBA office and our 50% deposit has been applied. We agree to abide by all 2016 Home & Product Expo Rules & Regulations.

Signature: _____ Date: _____

Return form ASAP via fax or email to ensure booth location. HBA staff will send out deposit/payment information once we have received your Intent to Exhibit Form.

This form is used to place a tentative hold on a specific booth(s) as a courtesy.

Booth(s) are not fully secured until we have received the 50% deposit. (Balance Due upon receipt of invoice.)

Fax form to 850-494-9764 or mail to:

For additional Expo information
Contact Expo Coordinator, Vicki Pelletier at
vicki@hbawf.com or 850-476-0318

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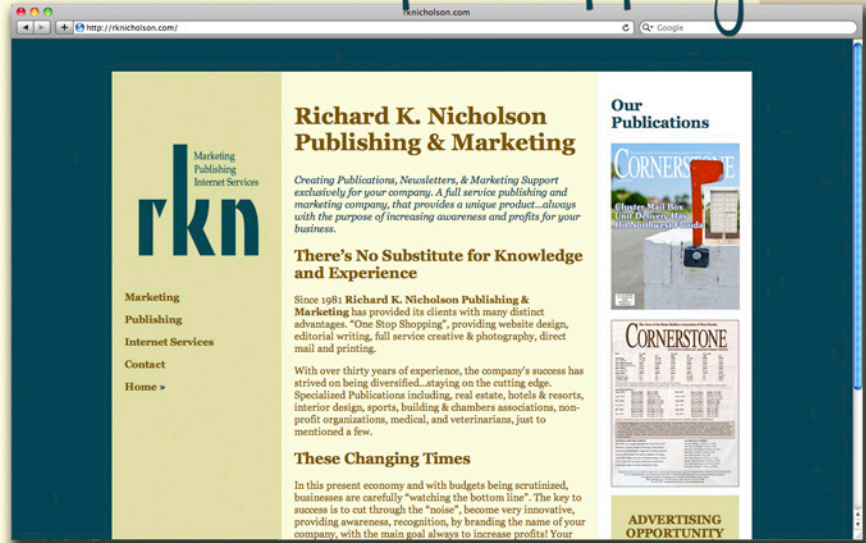
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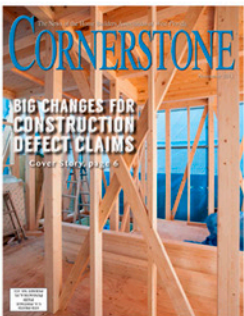
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HBA MEMBERS: FIRST TEE NEEDS YOUR HELP

HELP THE FIRST TEE OF NORTHWEST FLORIDA BRING BACK 3924 WEST NAVY BOULEVARD - SITE OF THE FORMER "GOOFY GOLF"

The First Tee of Northwest Florida, a 501C3 Non-Profit dedicated to teaching Golf Skills and Life Skills to kids ages 5-18, has purchased a permanent home for to provide administrative office space as well as storage space for equipment and donated clubs.

The 1.41 acre "Goofy Golf" property in Warrington was selected by our Chapter because it presents a unique opportunity to quickly move into an office and storage facilities within the ~3800 sf. under roof in the three extant on-site buildings some-time between August and October--replacing our currently rented offices and storage facilities. Our goal in the year to follow is to create a comprehensive golf and life skills education facility by building a full swing practice area by converting the four extant batting cages into full-swing netted hitting bays; to create a short game practice area at the rear-center of property by installing a nine-hole artificial practice green capable of receiving chip, pitches and bunker shots; and in the final phase to renovate and reopen all 36 holes of miniature golf. Our long-term goal is to convert the property into a first-class golf instruction and training facility while also restoring and maintaining the 1958 mini-golf courses as both a model of historic preservation and as an asset for our kids and our community.

We need your help! I am writing to ask our friends at the HBA to consider supporting this project with the donation of new and/or surplus items that we need for our Phase One short-term renovation.

For more information or to donate, please call Marty Stanovich, Executive Director at 456-7010 or mstanovich@thefirstteenwfl.org



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- One 36x96 Steel Door
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- ~60' of 6' Chain Link Fencing
- ~60 lf of Aluminum Gutter Spout
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- Exterior Primer, Paint and Polyurethane
- Exterior Rust proofing Chemicals
- 2 ~ 24"x36" Bathroom Mirrors
- ~30 2x4 Acoustic ceiling tiles
- ~140 lf of synthetic or wooden baseboard
- ~400 SF of non-skid (Bathroom) tile
- Assistance with HVAC equipment acquisition and renovation

Additionally, funds are needed for the property acquisition & operation: Individual and Corporate sponsorships are available as well as a Commemorative Brick Program.

Massey Glass, LLC

Terry V. Massey

Terry has been in the glass business for over 35 years, beginning in Dallas, Texas. Massey Glass, LLC was started in 2009. They have 8 employees, specializing in glass for homes and businesses including mirrors, custom shower doors tabletops and more.

In his spare time he enjoys golfing, singing and the men's group at his church. Terry is looking forward to getting to know all members.



Massey Glass, LLC
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Anna P. Weaver

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United Bank has been a member of the HBA in the past. Nan Foster encouraged me to rejoin. We want to support our community and the companies we do business with.

I am President Elect for Pace Rotary, serve on the Santa Rosa County Chamber Board of Directors, also serve on the Santa Rosa County State Housing Initiatives Partnership (S.H.I.P.) committee and participate in Take Stock in Children and am very devoted Auburn fan. WAR EAGLE!



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After 41 Years, Kenny Maughon Calls It a Career with McCombs Electrical Company

In 1975, Kenny Maughon came to work with McCombs Electrical Company as an electrician helper. He advanced rapidly to become one of Escambia and Santa Rosa Counties premier custom home electricians. It is estimated Kenny wired over 2,000 homes.

After 41 years with McCombs, Kenny has decided to rest his arms and knees and enjoy his family. Jack and Mike McCombs said they never saw Kenny get upset about anything. His personality allowed him to have a great relationship with the contractors and home owners.

“Kenny has one of the most remarkable memories of anyone in the trade,” said Jack McCombs. “You could ask him a question about the location of a switch or wire in a house that he wired 30 years ago. He would always say, ‘I have to think about it.’ But before the day was over, Kenny could give you the exact location of what you were trying to find.”

Longtime custom home builder Philip Napier said, “When I moved back to Pensacola in 1982 and started my career here as a home builder, I started two spec homes in Fox Run. When it came time to wire the houses, I called Mike McCombs and scheduled that work. Kenny showed up to wire those homes. For the next 34 years when I would call Mike to schedule my rough-ins, Kenny would be the one to show up to wire the house. I’ve only had one other person that has been with me for my entire career who also happens to be an employee of McCombs. Kenny’s memory is amazing especially given the number

of houses he has wired over the years. I have called him multiple times over the years to ask questions about houses we did 3, 5, even 10 years ago. Not once has he failed to remember the smallest of details even if it took him a minute or two to do so. Kenny is a great electrician and always established great rapport with my customers. He will be sorely missed.” Jim Cronley said, “Kenny wired at least five of my personal homes over the years in addition to hundreds more when I was building custom homes. He was loyal, on time and a perfectionist. He is a true gentleman who could remember the wiring details any job. He will be sorely missed.”

The Home Builders Association sends its warmest wishes to you, Kenny. Enjoy your much deserved retirement.



Above: Kenny has wired over 2,00 homes during his career.



Left: Newman Rodgers pays Kenny a visit on-site.

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CORPS PROPOSES CHANGES TO NATIONWIDE PERMITS

With existing Clean Water Act Section 404 Nationwide Permits (NWP) set to expire on March 18, 2017, the Army Corps of Engineers today proposed the permits be reissued and modified.

NWPs authorize a wide variety of activities in wetlands and other areas near what the federal government has determined to be “waters of the United States.” Work in these jurisdictional wetlands can include residential developments, utility lines and road crossings, for example.

The proposal comes after great delay which generated concern among builders, developers and even states that fear a lapse in NWP authorization would in turn require all Section 404 permit applicants to obtain costly, time-consuming individual permits.

The proposal includes changes to 18 of the existing 50 NWPs. Of note, for NWP #29 Residential Construction and eight others, the Corps proposes that any losses of stream bed count towards the 1/2 acre loss limit.

The proposal also clarifies in NWP #43 that stormwater and wastewater management facilities that meet certain criteria are not jurisdictional under the Clean Water Act, and maintenance does not require a Section 404 permit.

In addition to modifying existing NWPs, the Corps proposed two new ones: the first would authorize removal of low-head dams that are out of commission and for which repairs would be cost prohibitive; the second would authorize construction and maintenance of living shorelines for bank stabilization.



In light of the recent finalized and currently stayed EPA and Corps rule redefining “waters of the U.S.” and expanding federal authority over countless wetlands, ponds and streams that only flow after it rains, the Corps is also seeking comment on a permit applicant’s ability to use the NWPs.

The comment period will last 61 days, with comments due on Aug. 1. For additional information, contact Environmental Policy Program Manager Owen McDonough at 800 368 5242 x8662.

Courtesy of NAHBNow.

WHITE HOUSE PROPOSES NEW RESILIENCE EFFORTS

At the May White House Conference on Resilient Building Codes, the Administration unveiled new efforts to standardize and codify a way to combat the threats associated with climate change, including new requirements for builders.

While no changes have been finalized, NAHB is closely monitoring these proposals, including: **Federal Funding Requirements.** The departments of Housing and Urban Development and Agriculture are reviewing requirements for builders and developers seeking to construct federally funded housing to ensure they align with the most recent model building codes and standards for resilient construction.

Codes and Standards for Resilience to Tornadoes. A coalition of federal agencies is developing state-of-the-science tornado hazard maps to underpin a new performance-based standard for design of buildings and other structures to better withstand tornadoes. These maps and the new standard will help design professionals ensure that future buildings are better equipped to endure the impacts of high winds and debris.

Resilient Building Codes Resource Website. The U.S. Army Corps of Engineers launched a webpage: <http://www.usace.army.mil/Missions/Sustainability/Building-Resilience/> to promote more resilient communities through the use of the latest standards and criteria, building codes and climate science.

Smart Growth Code Changes. The Environmental Protection Agency will publish the Smart Growth Code Fixes for Climate Adaptation report, which includes a menu of changes jurisdictions can make to zoning and building codes and related policies to prepare for and adapt to climate change while bringing other environmental, economic, social and health benefits. The report will be available this fall.

Supporting Code Adoption and Enforcement. The federal Implementation Strategy for Increasing Disaster Resilience through Federal Support for Building Code Adoption and Enforcement will be released later this year. For additional information about NAHB’s response to these initiatives, contact Vice President of Construction, Codes and Standards Neil Burning at 800-368-5242 x8564.

Courtesy of NAHBNow.

SUPREME COURT ISSUES COMMON-SENSE WETLANDS DECISION

In a unanimous decision this morning, the U.S. Supreme Court endorsed NAHB's long-held position that courts should be able to review federal decisions that determine whether and how a property owner can develop a piece of land so that the owner doesn't have to go through the time- and money-consuming federal permit process before a decision can be made.

The court ruled in the case of Army Corps of Engineers v. Hawkes Co. Inc. and concluded that when the government conducts a Clean Water Act jurisdictional determination (JD) the recipient landowners can contest the decision in court. The verdict marks the culmination of a 25-year NAHB battle for regulatory certainty.

"NAHB commends the Supreme Court," chair Ed Brady said in a statement released this morning. "This common-sense ruling represents a clear victory for property owners to assert their rights if they disagree with an arbitrary edict by the federal government."

"Previously, the only way to contest such a ruling in court was to obtain a federal Clean Water Act permit, which is costly and time-consuming, or proceed without a permit and risk ruinous Clean Water Act penalties," Brady added. "Today's ruling will allow property owners to be able to dispute a JD in court without first seeking a permit that they believe is not required in the first place."

When the Corps conducts a JD, it determines whether "waters of the United States" are located on a parcel of property. The government has argued that before property owners can ask

for a court review of the JD, they must first either obtain or be denied a wetlands development permit, or to go forward with their project without a permit and face an enforcement action.

Of course, permits are costly and time-consuming to obtain, and enforcement actions are even worse. Nonetheless, district and appellate courts have agreed with the Corps.

Then, in 2015, the U.S. Court of Appeals for the 8th Circuit took an about-face. Basing its opinion on the Supreme Court's decision in *Sackett v. EPA*, the Eighth Circuit held in *Hawkes v. Corps* that JDs are judicially reviewable. The Corps then asked the Supreme Court to review the case, which it did.

The Decision's Impact

JDs are important because it is impossible for a developer to know whether a feature is jurisdictional simply by looking at it. However, once the Corps issues a JD, it carries significant legal and financial consequences on everything from lending practices to state rules and regulations.

NAHB has filed amicus briefs and lobbied federal officials, urging the Corps and the courts to recognize that JDs have significant consequences for property owners and should be judicially reviewable. NAHB joined with other groups and filed an amicus brief at the Eighth Circuit. NAHB then filed the only amicus brief in support of Supreme Court review, and filed another amicus brief when the court decided to take the case.

Chief Justice John Roberts wrote the opinion for the court, which followed the reasoning behind NAHB's amicus brief. It recognized the uncertainty surrounding whether a water feature is a "water of the United States" and the expense involved in determining whether the federal government has regulatory jurisdiction over that feature.

The Clean Water Act "continues to raise troubling questions regarding the government's power to cast doubt on the full use and enjoyment of private property throughout the nation," wrote Justice Anthony Kennedy in a concurring opinion.

For additional information, contact NAHB Vice President for Legal Advocacy Tom Ward at 800-368-5243 x8320.

Courtesy of NAHBNow.org.

NAHB Discusses Housing Issues with Trump, Top Advisers

NAHB CEO Jerry Howard and Chief Lobbyist Jim Tobin met with presumptive Republican presidential nominee Donald Trump and his top advisers in New York in early June to discuss housing matters of importance to the nation's home builders.

Regulatory burdens facing the industry and the need to access capital for builders and home buyers were among the issues that were raised during the meeting. Trump was attentive and asked follow-up questions.

Howard and Tobin gave Trump and his team policy papers that summarize the top issues facing the industry and also invited Trump to attend the NAHB Board of Directors Midyear Meeting in Miami Aug. 8-11.

"NAHB was one of several industry groups to meet with the Trump campaign today, but we were the only group representing housing," said Howard. "We hope this is the first of many opportunities we will have to meet with the presidential nominees to discuss the vital role that housing plays to maintain a thriving national economy."

HUD Proposes Rule to Use ZIP Code-Based Fair Market Rents

HUD, in late June, proposed a rule to use Small Area Fair Market Rents (Small Area FMRs) in place of the current 50th percentile rent for certain metropolitan areas. Small Area FMRs are based on U.S. Postal Service ZIP codes rather than an entire metropolitan area.

These changes would apply to the Housing Choice Voucher program. Other programs that use FMRs would continue to use area-wide FMRs.

HUD believes that Small Area FMRs gives Housing Choice Voucher tenants a more effective means to move into areas of higher opportunity where jobs, transportation and educational opportunities exist. HUD states the higher Small Area FMR for opportunity neighborhoods will provide tenants with an adequate subsidy to make such areas accessible, and thereby reduce the number of voucher families that reside in areas of high poverty concentration.

Under the HUD proposal, public housing agencies operating in designated metropolitan areas would be required to use Small Area FMRs. Agencies not operating in the designated areas would have the option to use Small Area FMRs in administering their Housing Choice Voucher programs.

In response to an earlier version of this proposal, NAHB led an industry coalition which called on HUD to “hold harmless” Fair Market Rents that would otherwise plummet and jeopardize housing for current tenants under the new Small Area FMR.

Today’s proposal would amend HUD’s regulations to do away with the 50th percentile rent, but it would not revoke any FMR now set at the 50th percentile rent, and for which the current three-year term for retaining a 50th percentile rent has not expired. It provides for metropolitan areas with FMRs set at the 50th percentile rent to transition to either:

1. The 40th percentile rent at the

expiration of the three-year period for the 50th percentile rent, or

2. Designation as a Small Area FMR area in accordance with the proposed criteria for such a determination.

HUD’s deadline for comments on this proposed rule is Aug. 15. NAHB will respond. Members who would like to provide feedback for consideration as part of these comments should email Michelle Kitchen and Paul Emrath at NAHB.

Courtesy of NAHBNow.



Friday, August 19th
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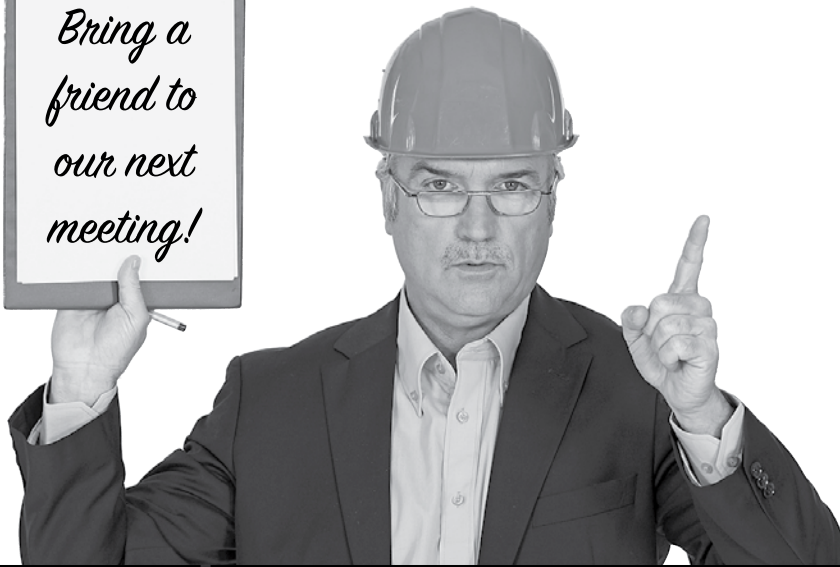
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August 2016

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In construction, a spike is a steel object that is essential to making a building strong. As in construction, the HBA of West Florida sees a Spike as someone that works to keep our association strong. Spikes work on the recruitment and retention of members in addition to keeping members active with the association. Anyone is eligible for Spike status. On Spike credit is awarded for each new member recruited and an additional credit is awarded for that new member's renewal on or before their anniversary date. If you help to retain a member, you are eligible to receive a half point for each member.

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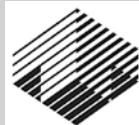
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A SOUTHERN COMPANY

QUALITY. COMFORT. SAVINGS FOR A LIFETIME.

Homebuyers today are interested not only in cabinets, countertops and flooring; they're also looking for energy savings, comfort and quality construction. That's where Gulf Power's EarthCents Home gives homebuilders the selling advantage. Compared with houses built to standard building codes, EarthCents Homes can be as much as 25 percent more efficient and definitely more comfortable.

Call 1-877-655-4001 and let an energy consultant help you stand out.

