



FOR IMMEDIATE RELEASE  
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## **HBA SUES ORANGE COUNTY SCHOOL BOARD**

**MAITLAND, FL** - The Home Builders Association of Metro Orlando, Charles Clayton, III, and Elese Sanford filed suit against the Orange County School Board today. They are demanding that the School Board be required to comply with the promise it made to Orange County voters to use money from its half-penny sales tax to build 25 new schools.

Don Wetherington, President of the Home Builders Association of Metro Orlando, said, "In bringing this action, we are exercising our constitutional right to ensure that the public trust will be honored."

In 2002, Orange County voters approved a half-penny sales tax for thirteen years. The School Board promised that part of these revenues would be used to build at least 25 new schools. Six years into this 13 year period, sales tax money has been used to construct only 1 new school: Wekiva High School. The School Board has indicated that no new schools will be built with sales tax money over the remaining 7 year term. When Orange County voters were asked to approve the sales tax in late 2002, more than 3,300 portables were being used by Orange County Public Schools. Those portables were located on playgrounds, ball fields, and in parking lots. The School Board, recognizing that the children of Orange County deserved better, promised that the half-penny sales tax money would be used to replace portables with new permanent facilities. The School Board has now reneged on its promise to voters, the children of Orange County, and its obligations under the law.

It is estimated that the School Board has misappropriated \$825 million of sales tax money. This suit asks the court to issue an order requiring the School Board to reallocate that money to the construction of the remaining 24 new schools promised to Orange County voters. Plaintiffs also ask the court oversee compliance with its order.

The effect of the School Board's actions means that the children of Orange County are deprived of 25 additional schools to be paid for by mainly tourists through the sales tax. Moreover, new homeowners are forced to pay more for their homes because of artificially increased impact fees.

As public office holders, School Board members are obligated to follow the laws of the state of Florida. The plaintiffs believe that by ignoring its promise to Orange County taxpayers and voters, the School Board has violated applicable Florida law and, as a result, the Florida Constitution.

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