

Organized Sports and TPOA Private Property

This is background information relative to new inquiries made to the TPOA to allow organized sports on TPOA property. It is presented as a high-level reminder of the issues previously considered by the Boards and to provide a basis for future discussions via emails or at future Board meetings.

The TPOA chose not to allow organized sporting events of any kind to be held on private TPOA property a number of years ago. For a time, an exception was made for the YMCA, but even the “Y” activities were no longer permitted as of 2018. A few of the sports referenced include:

- Swim teams and training
- Football teams
- Soccer teams
- Weight lifting and workout training

The reasons for concern over allowing the use of TPOA facilities fall into four broad categories:

1. Concern for children. “Organized” sports usually rely on amateur coaches, parents, uncles, retirees etc. In the year that the TPOA disallowed football, three youngsters died in Hillsborough County while playing in football leagues (non-school). It was established at the time that the coaches involved failed to see warning signs related to heat.

The TPOA has no mechanism for certifying / choosing / evaluating coaches or their coaching methods.

2. Concerns relative to liability. It is undisputed that many injuries result from participation in sports. More than 3.5 million children aged 14 and younger were injured (in various severities) in 2023 playing sports or participating in recreational activities.

Many may recall that a child drowned as part of a swim team event at Westchase a few years ago and while the final settlement is private, the HOA insurance, as displayed in their budget, increased exponentially.

There is little doubt that our society in general is becoming more and more law-suit crazy, and organized sports can open the door unnecessarily to liability on the part of the owners of the TPOA.

3. Control of the property. Although teams often assert that “all the members are Tampa Palms residents,” the facts are that such an assertion is almost impossible to confirm or adequate to police.

It is also a fact that were the fields under the control of organized teams, Tampa Palms owners would not be able to use the fields for which they were intended.... pick-up games and neighborhood use. Organized sports would also use up limited parking space available for owner events.

4. Impact on ADA exceptions. While the TPOA has made certain that it meets and exceeds the ADA requirements for the buildings, playground, entries etc. the TPOA is exempt from the mandated (and expensive) requirements for the swimming pool.

Community pools/clubs that are associated with a private residential community and are limited to the exclusive use of residents and their guests are not covered by the ADA accessibility requirements. On the other hand, if a swimming pool/club located in a residential community **is made available to the public for rental or use, it is covered under Title III of the ADA.**¹

¹. https://www.ada.gov/pools_2010.htm