

2017 CEOMC Bill Report

HB 0135	Relating to Homeowners' Associations	Cortes (J)	01/11/17
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Homeowners' Associations: Provides requirements for election of members of board of directors for associations in specified communities. Effective Date: July 1, 2017

12/28/16 HOUSE Filed

01/11/17 HOUSE Referred to Agriculture & Property Rights Subcommittee; Judiciary Committee; Commerce Committee

01/11/17 HOUSE Now in Agriculture & Property Rights Subcommittee

Bill Comments

Requirements only for election of directors for a community of 7500 parcels or more: 1. 60 days prior to election the association must notify its members 2. Anyone wishing to be a candidate must notify the association 40 days prior to the election 3. Association must send 2nd notice which includes the ballot 4. Candidate can request an information sheet about themselves be included in the mail out of the ballot. Association is responsible for the costs not the candidate. 5. There is no quorum requirement; however, at least 20 percent of the eligible voters must cast a ballot or vote in person or by limited proxy in order to have a valid election.

HB 0137	Relating to Homeowners' Associations	Cortes (J)	01/11/17
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Homeowners' Associations: Authorizes certain disputes to be submitted to mandatory nonbinding arbitration with Division of Florida Condominiums, Timeshares, & Mobile Homes; requires DBPR to establish fee structure for certain purposes. Effective Date: July 1, 2017

12/29/16 HOUSE Filed

01/11/17 HOUSE Referred to Careers & Competition Subcommittee; Government Operations & Technology Appropriations Subcommittee; Commerce Committee

01/11/17 HOUSE Now in Careers & Competition Subcommittee

Bill Comments

This bill deals with new rules and fees that the DBPR can impose on associations: 1. An association may submit any dispute relating to amendments to the association documents, meetings of the board and committees appointed by the board, and membership meetings not including election meetings to mandatory nonbinding arbitration, in lieu of presuit mediation, with the DBPR. Such proceedings must be conducted in the manner provided by s. 718.1255 and the procedural rules adopted by the division. 2. The DBPR shall establish a fee structure to be imposed upon an association following the conclusion of a proceeding conducted under this subsection to adequately cover any costs incurred by the department for such proceeding.

Similar Bills

HB 0089 Relating to Homeowners' Associations Cortes (J) 12/19/16

SB 0188 Relating to Vacation Rentals Steube 01/10/17

Vacation Rentals; Providing that local laws, ordinances, and regulations adopted after a certain date may not restrict the use of, prohibit, or regulate vacation rentals based solely on their classification, use, or occupancy, etc. Effective Date: Upon becoming a law

12/16/16 SENATE Filed

01/10/17 SENATE Referred to Regulated Industries; Community Affairs; Rules

Bill Comments

This bill changes the verbiage on regulation of vacation rentals to now include: 1. A local law, ordinance, or regulation may not restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

Identical Bills

HB 0425 Relating to Vacation Rentals La Rosa 01/24/17

SB 0294 Relating to Condominium, Cooperative, and Homeowners' Associations Bracy 01/25/17

Condominium, Cooperative, and Homeowners' Associations; Requiring associations to meet specified financial reporting requirements if they fail to provide unit owners or members with requested financial information; providing that associations that fail to provide such information may not exercise a specified reporting option for a specified period, etc. Effective Date: 7/1/2017

01/06/17 SENATE Filed

01/25/17 SENATE Referred to Regulated Industries; Judiciary; Rules

Bill Comments

This bill makes these changes to the financial reporting requirements: 1. Upon written request, If an association does NOT provide a copy of the prior year's financial report to the unit owner, the association shall provide to the DBPR the financial reporting required for the next 3 consecutive years and may not exercise the reporting option those years. 2. Removes provision that allows an association of under 50 units regardless of annual revenues to waive a financial report requirement for cash receipts and expenditures

HB 0295 Relating to Homeowners' Associations Stone 01/25/17

Homeowners' Associations: Revises uses of Florida Condominiums, Timeshares, & Mobile Homes Trust Fund; increases damages to which member of homeowners' association is entitled for denial of access to official records; provides cause of action for member against community association manager or management firm; prohibits reimbursement to community association manager or management firm for certain fines; provides & revises reporting requirements; provides that fine

may not become lien against parcel; revises provisions relating to election of officers; provides presuit mediation for election & recall disputes; provides for binding arbitration by DBPR for certain disputes between parcel owner & homeowners' association; requires DBPR to provide training & educational programs; authorizes DBPR to enforce & ensure compliance with Homeowners' Association Act & specified rules; provides DBPR with jurisdiction to investigate certain complaints; provides cause of action against developers by HOA or nondeveloper members of HOA. Effective Date: July 1, 2017

01/19/17 HOUSE Filed

01/25/17 HOUSE Referred to Careers & Competition Subcommittee; Government Operations & Technology Appropriations Subcommittee; Commerce Committee

01/25/17 HOUSE Now in Careers & Competition Subcommittee

Bill Comments

Adds Chapter 720 in the State Treasury the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund. Ups penalty for not handing over official records to a homeowner to \$500 a day for 30 days from \$50 a day for 10 days and does not allow a management company to indemnify themselves from this provision Associations must now report to DBPR a report every year stating in 2017 States a fine may not become a lien against a parcel. (Removes language identifying fines under \$1000 may not become a lien) Lays out when members can elect a board majority from a developer. DBPR shall provide arbitration and educational classes.

Assigned Folder(s)

CPA CAI FSR RMP CMC

Priority/Position

N/A

SB 0318	Relating to Covenants and Restrictions of Property Owners' Associations	Passidomo	01/25/17
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Covenants and Restrictions of Property Owners' Associations; Creating the "Marketable Record Titles Act"; authorizing a property owners' association to preserve and protect certain covenants or restrictions from extinguishment, subject to specified requirements; exempting a specified summary notice from certain notice content requirements; providing recording requirements for an association, etc. Effective Date: 10/1/2017

01/10/17 SENATE Filed

01/25/17 SENATE Referred to Regulated Industries; Community Affairs; Rules

Bill Comments

Creates new Statute 712.001 called "Marketable Record Titles Act." Gives new guidelines to for "Community covenant or restriction"

SB 0398 Relating to Estoppel Certificates Passidomo 01/19/17


Estoppel Certificates; Revising requirements relating to the issuance of an estoppel certificate to specified persons; requiring a condominium, cooperative, or homeowners' association to designate a street or e-mail address on its website for estoppel certificate requests; prohibiting an association from charging a preparation and delivery fee or making certain claims if it fails to deliver an estoppel certificate within certain timeframes, etc. Effective Date: 7/1/2017

01/19/17 SENATE Filed

Bill Comments

No comments.

Identical Bills

HB 0483 	Relating to Estoppel Certificates	Donalds	01/24/17
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HB 0425 Relating to Vacation Rentals La Rosa 01/24/17

Vacation Rentals: Provides that local laws, ordinances, & regulations adopted after certain date may not restrict use of, prohibit, or regulate vacation rentals based solely on classification, use, or occupancy. Effective Date: upon becoming a law

01/24/17 HOUSE Filed

Bill Comments

This bill changes the verbiage on regulation of vacation rentals to now include: 1. A local law, ordinance, or regulation may not restrict the use of vacation rentals, prohibit vacation rentals, or regulate vacation rentals based solely on their classification, use, or occupancy. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

Identical Bills

SB 0188 	Relating to Vacation Rentals	Steube	01/10/17
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HB 0483 Relating to Estoppel Certificates Donalds 01/24/17

Estoppel Certificates: Revises requirements relating to issuance of estoppel certificate to specified persons; requires condominium, cooperative, or homeowners' association to designate street or e-mail address on its website for estoppel certificate requests; specifies delivery requirements for estoppel certificate; requires that estoppel certificate contain certain information; provides effective period for estoppel certificate based upon date of issuance & form of delivery; provides that association waives specified claim against person or such person's successors or assigns who in good faith rely on estoppel certificate; prohibits association from charging preparation & delivery fee or making certain claims if it fails to deliver estoppel certificate within certain timeframes; revises fee requirements; authorizes statement of moneys due to be delivered in one

or more estoppel certificates; provides limits on total fee charged for preparation & delivery of estoppel certificates. Effective Date: July 1, 2017

01/24/17 HOUSE Filed

Bill Comments

No comments.

Identical Bills

SB 0398	Relating to Estoppel Certificates	Passidomo	01/19/17
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HB 6003	Relating to Vacation Rentals	Richardson	01/09/17
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Vacation Rentals: Authorizes local laws, ordinances, & regulations to prohibit vacation rentals or regulate duration & frequency of rental of vacation rentals. Effective Date: July 1, 2017

12/02/16 HOUSE Filed

01/09/17 HOUSE Referred to Agriculture & Property Rights Subcommittee; Careers & Competition Subcommittee; Commerce Committee

01/09/17 HOUSE Now in Agriculture & Property Rights Subcommittee

Bill Comments

This bill removes the grandfather provision for local laws, ordinances, and regulations that regulate vacation rentals prior to June 1st 2011. This bill would allow the local law, ordinances, and regulations to now regulated Vacation Rentals as they see fit. This bill is the opposite of SB 188.