



COMMUNITY BUILDER

December 7, 2023 Special Bulletin

Florida Legislative Updates

As we gear up for another legislative season in 2024, recent committee workshops shed light on potential impactful and costly changes impacting condominium and homeowners' associations in Florida.



In a recent workshop, the Senate Regulated Industries Committee explored aspects of condominium regulation and governance. Discussions touched on increased oversight by the Department of Business and Professional Regulation (the "DBPR"), Board Member education, homeowners' associations' website requirements, and the potential duty of management companies to report suspected illegality of association Boards. Emphasis was placed on member access to records and implementing financial audit requirements.

Another workshop held by the House Regulatory Reform and Economic Development Subcommittee delved into issues surrounding community associations. The tone was critical, focusing on addressing concerns related to problematic community associations, with a spotlight on [The Hammocks HOA in Miami-Dade County](#). Key topics included disclosure of association financial data to the DBPR, public access to association records, uniform Board Member education standards, enhancing due process for owners, and changes to the Board Member recall process. To view the full 2.5-hour hearing, please click on the following link: [House Regulatory Reform Committee Workshop](#).

In summary, substantive changes could be coming for associations, and a number of bills have already been filed (more expected) in the House and Senate. Following is a summary of several bills currently being tracked:

- [Senate Bill 278](#) by [Sen. Jonathan Martin](#) raises significant concern, prompting opposition efforts. As drafted, the proposed bill would shift the costs of required association resale disclosures/estoppels from property Sellers to association members who have no relationship to the real estate transaction. SB 278 will be

heard next Wednesday by the Senate Judiciary Committee, followed shortly thereafter by the Senate Fiscal Policy Committee. **To share your opposition before next week's committee meeting, please click on the following link: [Click Here](#)**

- **[House Bill 625](#)** by **[Rep. James Buchanan](#)** would remove provisions relating to ineligibility of residential condominiums for wind-only coverage by Citizens Property Insurance Corporation and increases the property loss assessment coverages under condominium unit owners' residential property policies.
- **[House Bill 431](#)** by **[Rep. Kristen Arrington](#)** would prohibit fines imposed by homeowners' associations from exceeding \$500 in the aggregate.
- **[House Bill 293](#)** by **[Rep. Tyler Sirois](#)** would require associations to adopt hurricane protection specifications conforming to applicable building codes and to adhere to certain guidelines regarding the external appearance of structures or improvements.
- **[House Bill 595](#)** co-introduced by **[Rep. Juan Porras](#)** and **[Rep. Vicki Lopez](#)** would require the DBPR to establish a searchable database that contains specific information regarding each homeowners' association in the state and any changes to be routinely communicated to the department.
- **[House Bill 627](#)** by **[Rep. James Buchanan](#)** introduces additional disclosure requirements for prospective purchasers.

As more bills are expected in the weeks ahead, the legislative landscape for community associations is evolving quickly. As your community association management partner, Sentry Management is taking efforts to educate Community Managers and boards of the new and pending legislation. Moreover, Sentry is actively collaborating with other professional management companies and industry lobbyists to influence the lawmaking process on behalf of our clients and residents. To this end, your assigned Sentry team will continue to share critical information about new legislation and any material updates in the coming months. Stay engaged, voice concerns, and brace for a session that promises to bring significant changes.

Note: Nothing in this publication should be interpreted as legal advice. This publication does not cover each and every aspect of the above referenced bills and is designed to be a general overview. The information contained herein is not intended to serve as a substitute for professional legal advice.



The Community Builder is a newsletter prepared exclusively for Board Members of associations managed by Sentry Management. If someone on your Board is not receiving this newsletter, they can be added by entering or updating their address in the CommunityPro® PORTAL or forwarding them a copy.

