



CALL ALERT FOR MARCH 6, 2012 – ASK YOUR LOCAL SENATOR TO VOTE NO ON HB 1013 AND SB 1196 REGARDING HOA WARRANTIES

As I reported previously, there are a couple of bills (HB 1013 and SB 1196) pending before the Florida legislature involving HOA warranties which would be devastating for HOAs with common area defects. These bills would prohibit implied warranties of fitness and merchantability from applying to streets, roads, sidewalks, drainage areas, utilities, or any other improvements that are not located on or under the lot on which a new home is constructed. In short, the bills will result in homeowners being stuck with shoddy common areas for which they have no recourse.

The House version of the bill (HB 1013) has already passed the House of Representatives. The Senate version (SB 1196) had been “stuck” in the Budget Committee. If SB 1196 had remained in Budget, it would have died in committee. However, yesterday SB 1196 was removed from Budget and could be heard by the full Senate this week.

Therefore, its VERY IMPORTANT that you e-mail and/or call your local senator and let him or her know that HB 1013 and SB 1196 are very bad for associations and ask that they vote NO on these bills. If you do not know who your local Senator is, you can find that information on the Senate’s website: <http://www.flsenate.gov/Senators/Find>

Please tell your local Senator the following:

Dear Senator: I an owner in _____ (add name of your community) which is in your district. Please vote NO on SB 1196 and HB 1013. These bills would prohibit implied warranties of fitness and merchantability from applying to streets, roads, sidewalks, drainage areas, utilities, or any other improvements that are not located on or under the lot on which a new home is constructed. In short, the bills will result in homeowners being stuck with shoddy common areas for which they have no recourse. Thank you for keeping your local communities in mind when voting on these very bad bills.

Very truly yours,

Yeline Goin, Executive Director
Community Association Leadership Lobby (CALL)

Please visit our "CALL" Website at www.callbp.com to view the full text of the bills "CALL" is tracking.