



**Yeline Goin**

*Executive Director*

**Community Association  
Leadership Lobby (CALL)**

[ygoin@bplegal.com](mailto:ygoin@bplegal.com)  
[www.callbp.com](http://www.callbp.com)

**Tallahassee Office**

204 South Monroe Street  
Suite 203 Tallahassee,  
Florida 32301-1800  
Tel: 850.412.1115  
Fax: 850.412.1120

**CALL Administrative Office**

1 E. Broward Blvd.  
Suite 1800  
Ft. Lauderdale, FL 33301  
954.364.6012  
1-844-4FL-CALL  
(1-844- 435-2255)  
[call@bplegal.com](mailto:call@bplegal.com)

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## **Urge Committee Members to Oppose HB 501-- CALL Alert for February 13, 2015**

**HB 501 (Fant) relating to limitations of actions will be considered on Tuesday, at 9:00 in the House Civil Justice Subcommittee. The bill would shorten the Statute of Repose in Florida from the current ten (10) years, all the way down to seven (7) years.**

The Statute of Repose is the statute that operates as an absolute bar to any construction defect claim, despite the fact that the statute of limitations on a claim may not have already expired.

For example, an association will not be able to sue for construction defects until after the association has been turned over from the developer (because while the association is in the control of the developer, the developer will not sue itself!). However, the Condominium Act allows a developer to hold turnover until 7 years after the Declaration of Condominium is recorded. If the statute of repose (which acts as an absolute bar to construction claims) is shortened to 7 years, there would no way for some condominium associations to obtain relief from the developer on construction defect claims.

Here is a link to a very good blog post by Becker & Poliakoff Attorney Patrick Howell, which provides further explanation on HB 501:

<http://www.orlandosentinel.com/classified/realestate/blog/os-legislative-meddling-could-have-dire-consequences-for-florida-hoas-and-condominiums-20150206-story.html>

Please contact the sponsor of the bill and the members of the Civil Justice Subcommittee and let him know that you are opposed to the bill. Their contact information is found



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below:

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[jay.fant@myfloridahouse.gov](mailto:jay.fant@myfloridahouse.gov)

Rep. Lori Berman: (561) 374-7850 (850) 717-5090  
[lori.berman@myfloridahouse.gov](mailto:lori.berman@myfloridahouse.gov)

Rep. Colleen Burton: (863) 413-2640 (850) 717-5040  
[colleen.burton@myfloridahouse.gov](mailto:colleen.burton@myfloridahouse.gov)

Rep. Dwight Dudley: (727) 552-2747 (850) 717-5068  
[dwight.dudley@myfloridahouse.gov](mailto:dwight.dudley@myfloridahouse.gov)

Rep. Walter Bryan "Mike" Hill: (850) 595-0467 (850) 717-5002  
[mike.hill@myfloridahouse.gov](mailto:mike.hill@myfloridahouse.gov)

Rep. Kionne L. McGhee: (305) 256-6301 (850) 717-5117  
[kionne.mcGhee@myfloridahouse.gov](mailto:kionne.mcGhee@myfloridahouse.gov)

Rep. Larry Metz: (352) 989-9134 (850) 717-5032  
[larry.metz@myfloridahouse.gov](mailto:larry.metz@myfloridahouse.gov)

Rep. George R. Moraitis: (954) 762-3757 (850) 717-5093  
[george.moraitis@myfloridahouse.gov](mailto:george.moraitis@myfloridahouse.gov)

Rep. Kathleen C. Passidomo: (239) 417-6200 (850) 717-5106  
[kathleen.passidomo@myfloridahouse.gov](mailto:kathleen.passidomo@myfloridahouse.gov)

Rep. Cary Pigman: (863) 386-6000 (850) 717-5055  
[cary.pigman@myfloridahouse.gov](mailto:cary.pigman@myfloridahouse.gov)

Rep. Cynthia A. Stafford: (305) 953-3086 (850) 717-5109  
[cynthia.stafford@myfloridahouse.gov](mailto:cynthia.stafford@myfloridahouse.gov)

Rep. Charlie Stone: (352) 291-4436 (850) 717-5022  
[charlie.Stone@myfloridahouse.gov](mailto:charlie.Stone@myfloridahouse.gov)

Rep. Jennifer Sullivan: (352) 742-6275 (850) 717-5031  
[jennifer.sullivan@myfloridahouse.gov](mailto:jennifer.sullivan@myfloridahouse.gov)

Rep. John Wood: (863) 298-5300 (850) 717-5041  
[john.wood@myfloridahouse.gov](mailto:john.wood@myfloridahouse.gov)

Very truly yours,

*Yelene Stein*

Yeline Goin, Executive Director  
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[www.bplegal.com](http://www.bplegal.com)

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