



**Yeline Goin**

*Executive Director*

**Community Association  
Leadership Lobby (CALL)**

[ygoin@bplegal.com](mailto:ygoin@bplegal.com)

[www.callbp.com](http://www.callbp.com)

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**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  
[call@bplegal.com](mailto:call@bplegal.com)

## **Legislative Update for Final Week of Session-- CALL Alert for March 11, 2016**

Today is the last day of the 2016 Legislative Session. As of this writing, the House and Senate are debating the final budget, which is expected to pass today. The respective chambers will then "Sine Die" and the session will end. As in past years, the budget sweeps money from the Division of Condominiums, Timeshares, and Mobile Homes Trust Fund. This year's sweep is \$3,000,000. This practice must stop and CALL is committed to working with the Governor and the Department of Business and Professional Regulation to address this issue.

This final week we have been watching SB 1050, by Sen. Brandes, and the companion bill, HB 1187, by Rep. Grant, related to the Department of Business and Professional Regulation. HB 1187 passed the House, but without any condominium or HOA provisions. The companion bill, SB 1050, has been on the Senate's "special order" calendar every day this week, but has not been heard. Although a number of condominium and HOA related amendments have been filed, none have been considered. Since today is the last day of session, it is very unlikely that any of the amendments will pass.

### **THEREFORE, THE FOLLOWING ISSUES THAT WE HAVE BEEN FOLLOWING THIS SESSION WILL NOT PASS:**

- (1) Mandatory binding arbitration of homeowners' association disputes, including



## Upcoming Classes & Events

disputes related to assessments;  
(2) Removing the exemption for small condominiums (less than 50 units) related to audits, reviews and compilations;  
(3) Mandatory websites for condominiums and homeowners' associations;  
(4) Limiting the ability of homeowners' associations to adopt amendments restricting rentals;  
(5) Capping the estoppel certificate fee and requiring that the estoppel certificate fee be paid at the time of closing; and  
(6) Extending protections from termination to non-homestead properties;  
(7) Exempting covenants and restrictions from the Marketable Record Title Act (MRTA).

### **THERE WERE A FEW BILLS THAT DID PASS THAT HAVE AN IMPACT ON COMMUNITY ASSOCIATIONS, INCLUDING, BUT NOT LIMITED TO:**

(1) **SB 1174 (Sen. Diaz de la Portilla), Relating to Residential Facilities (Effective Date: July 1, 2016):** The bill establishes site requirements for community residential homes. A community residential home is a home that serves the developmentally disabled, frail elder, handicapped pursuant to Section 760.22(7)(a), nondangerous persons with a "mental illness " as defined in s. 394.455(18), a child who is found dependent by the court and a "child in need of services. " The bill requires a radius of 1,200 feet between a community residential home licensed for 7 to 14 residents and a community residential home licensed for 6 or few residents. The bill would not impact such homes already licensed and in operation prior to July 1, 2016.

(2) **SB 184 (Sen. Bean), Relating to Military and Veterans Affairs (Effective Date: July 1, 2016):** The bill provides that a landlord is required to process a rental application from a military servicemember within seven days of submission, if the landlord requires an application before residing in a rental unit. Within that seven day period, the landlord must provide to the servicemember a

response in writing of the approval or denial of their application and, if denied, the reason for denial. Should the landlord not provide a timely denial of the rental application, the landlord must lease the rental unit to the servicemember if all other terms of the application and lease are met. These provisions also apply in situations in which a servicemember seeks to rent a unit or parcel within the control of a condominium association, cooperative association, or homeowners' association.

**(3) HB 535 (Rep. Eagle), Relating to Building Codes (Effective Date: July 1, 2016):** Among other things, the bill amends 633.202 regarding minimum radio signal strength for fire department communication in all new and existing high rise buildings. Existing apartment buildings are not required to comply until January 1, 2025. The bill also amends Chapter 633, Part II, Relating to Fire Safety and Prevention. The amendments are intended to give existing buildings additional lower cost alternatives for complying with the fire prevention code.

**(4) HB 931 (Rep. Passidomo), Relating to Operations of Citizens Property Insurance Corporation (Effective Date: July 1, 2016):** Among other things, the bill changes the current depopulation procedures for personal lines residential policies (i.e., individual homeowner policies) by requiring that take-out offers be communicated by Citizens and not the take-out company. Notice of a take-out offer must include standardized information that compares the coverage and estimated premium of each take-out offer to the coverage and premium provided by Citizens and must advise policyholders that they may accept or reject any offer. In some cases, policyholders who accepted a take-out offer in the past 36 months may return to Citizens. The reforms must be in place by January 1, 2017.

Thank you for all the emails that you sent to the Legislators and for staying engaged and involved in the legislative process. Stay tuned for announcements regarding our annual

CALL Legislative Guide and CALL events.

Very truly yours,



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