

May 28, 2017



Ask Gov. Scott to VETO HB 1237



Another annual Florida Legislative Session is in the books. The 2017 Session included important victories for the condominium and homeowner association community, including a compromise bill on estoppels. CAN was proud to once again work with our Senators and Representatives to craft smart public policy that benefits homeowners and associations.

However, one bill that passed both houses of the Legislature and on its way to Governor Scott's desk will cost you time and money - unless YOU take action to stop it.

Alan Garfinkel, Esq.

*Chairman
of the
Board of Directors*

agarfinkel@myGWlaw.com



**2017 Community
Association
Network
Advisory
Board**

Bob Begley
CJ Blancett
Ted Fox
Robert Hendry
Roger Kesselbach
Nicholas Lambiase
Cynthia Morales
Frayda Morris



HB 1237 passed the House on April 28, and passed the full Senate on May 1. To be clear, this bill is well intentioned, and reflects real concerns among some community associations, specifically in Miami-Dade County. However, CAN's position is that those issues are best addressed with a local bill, which would not penalize thousands of homeowners and community associations across the entire state, for the shortcomings of a few in one area.

Among HB 1237's provisions are several with significant legal consequences for you and your association. These include:

- A government mandate that requires all condominium associations with more than 150 units to create a website, with more than a dozen different types of documents, including contracts, conflicts of interest, and sensitive financial records. This will require an enormous amount of time for associations to develop and maintain these websites, and create new costs for both associations and homeowners.
- Needless regulations prohibiting board members from serving more than four (4) consecutive terms. This proposed law will drain condominium boards of institutional knowledge, creating more inexperienced boards that are less equipped to handle the

Charles Parness
Gary van der Laan
Brad van Rooyen

Business Partner Spotlight:



Share This Email!



needs of homeowners and communities.

- Unnecessary restrictions that preclude even distant relatives of board members from potentially serving as vendors or contractors. Literally third degree relatives by marriage would potentially be prohibited from working with associations, denying jobs and work opportunities to numerous otherwise-qualified businesses.
- Preventing an association from hiring the same attorney that represents that condominium's management company. Florida Bar rules that govern attorneys already prevent lawyers from representing entities where there is a conflict of interest, so a new state statute is unnecessary.
- In certain lawsuits (such as a slip-and-fall on your property), insurance companies can appoint one attorney to represent the association and management company; under this bill, insurers would have to hire separate attorneys, raising premiums and driving up costs for homeowners.

Despite good intentions, this bill simply carries too many needless regulations and onerous government mandates that will unintentionally hurt associations and homeowners.

Governor Scott will consider this bill shortly. CAN needs you to speak up and let the Governor know that HB 1237 is bad for you, for your association, and for your community. Here's what to do:

- Email Lee Moore - Governor Scott's staff person working on this bill - at lee.moore@laspbs.state.fl.us and let her know that you'd like the Governor to veto HB 1237.

- Call Ms. Moore at 850-717-9509 and share your story about why increased costs and government regulations would hurt your community and its homeowners.

While many excellent results came from the 2017 Legislative Session, we can't afford for HB 1237 to negatively impact hundreds of thousands of Floridians and the places we call home.

Contact Governor Scott's staff today and ask him to veto HB 1237 - when CAN members raise our voices as one, we all win.

Yours in community,

Alan Garfinkel
Community Association Network
Chairman of the Board of Directors



www.CANLAWS.com

1-844-MYCANLAWS

(692-2652)

© Community Association Network 2017. All Rights Reserved.

Garfinkel Whynot,
300 N. Maitland Ave., Maitland, FL 32751