

*January 8, 2020*



Happy New Year!  
2020 Legislative Session blasts off Tuesday!



Although we are just getting back into the swing of things after the holidays, Tallahassee and our elected representatives are gearing up for their Super Bowl - The 2020 Legislative Session. With 2020 being an election year, Florida's Legislative Session begins in 6 days - on January 14, 2020 and is expected to end on March 13, 2020. During the frenzied 60 days of this year's Legislative Session, we will keep you informed of the happenings on the



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House and Senate Floor and sometimes the background negotiations before then. As we have over the past 13 years, we may ask that you participate and take specific action on one of our urgent Call to Action Alerts in order to protect your home, your neighborhood and communities.



We anticipate the most important issue, affecting the 10 Million Florida residents living in community associations, will continue to be short term rentals. Next Monday, January 13 at 1:00 pm, the Senate Committee on Innovation, Industry and Technology (IIT) will consider Senate Bill 1128 that proposes, in effect, to expand short term rentals in Florida. There's good news and bad news with this bill and its House companion bill, HB 1011.

First, the good news. Thanks to your input in 2019, this Bill did not pass the Legislature last Session because it did not contain adequate protections for our neighborhoods who currently protect - or want to protect - their quality of life from unregulated short term rentals. This year, as a result of your 2019 efforts, this legislation has been changed to ensure that your Associations' duly adopted deed restrictions and governing documents will not be "superseded" and thus protected.

Now, the bad news. SB 1128 unfortunately contradicts that very good language with the following contradictions:

1. In Lines 87-90, SB 1128 says: "Property owners who choose to use their property as a vacation rental have constitutionally

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protected property rights and other rights that must be protected, including the right to use their residential property as a vacation rental"; and

2. In Lines 96-98, SB 1128 says: "Vacation rentals are residential in nature, a residential use, and thus permitted in residential neighborhoods."

In other words, short term rentals could be allowed regardless of what your governing documents may say because these rentals are "residential" and "constitutionally protected". So, which is it? Can an Association protect its homeowners' quality of life or not?

Here's where you come in. Before January 13, please email your Senators on the Senate IIT Committee and ask them to finish the good work they started by simply **REMOVING** Lines 87-90 and Lines 96-98 so that SB 1128 is consistent and your neighborhoods are protected.

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### **CAN Short Term Rental Survey**

If you haven't already taken our Survey, please click on the link below. Your feedback will provide vital data to the Florida Legislature as your Community Association Network (CAN) and its partners fight to protect your property rights.

[CAN Short Term Rental Survey](#)

### **Short Term Rental Bills**

To learn more about the proposed short term rental bills, click on these links below:

[HB 1011: Vacation Rentals](#)

[SB 1128: Vacation Rentals](#)

As always, if you have any questions, please email myself and our team and we will be happy to answer your questions.

Yours in Community,

**Alan Garfinkel**  
**Community Association Network**  
*Chairman of the Board of Directors*



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