



February 2, 2012

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Greetings!

As we continue to race through the 2012 Florida Legislative Session, it is our pleasure to keep our CAN members and friends up to date on the happenings up in Tallahassee. HB 319, this year's main community association vehicle, passed out of the Business & Consumer Affairs Subcommittee with a vote of 12 to 1. Representative Stafford was the lone "no" vote. Representative Rousson filed three amendments to remove the Safe Harbor language and these were withdrawn after a significant debate on the issue.

The harmful construction defect bill, HB 1013, passed out of the House Civil Justice Subcommittee with Representatives Kiar and Steinberg casting the only "no" votes. Representative Kiar amended the bill to clarify that it does not apply to condominiums or cooperatives but still voted no. CAN and others testified in opposition to the bill. SB 1196 was not heard this week because the Senate Judiciary Committee was cancelled. It will be on the agenda next week. CAN will be sure to get our opposition on the record on the Senate side as well.

As a result, all CAN members are urged to continue contacting the members of the Judiciary Committee immediately with the message that SB 1196 should not be approved. The members of the Judiciary Committee are:

Chair: Senator Anitere Flores: flores.anitere.web@flsenate.gov

Vice Chair: Senator Arthenia Joyner: joyner.arthenia.web@flsenate.gov L.Joyner:

Senator Oscar Braynon: oscar.braynon.brayon.oscar.web@flsenate.gov

Senator Andy Gardiner: gardiner.andy.web@flsenate.gov

Senator Garrett Richter: richter.garrett.web@flsenate.gov

Senator David Simmons: simmons.david.web@flsenate.gov



Senator John Thrasher: thrasher.john.web@flsenate.gov

The agenda for the House Business and Consumer Affairs Committee has now been released, and HB 1013 is not on it; it is expected that this subcommittee will not meet again. This might be a favorable sign that our CAN members' opposition is being heard loud and clear.

SB 728/HB 753 - Unfortunately, CAN's insurance bills are not likely to be heard this session because of typical industry opposition which needs to be resolved and which will take more time than staff has available during the rush of session. To understand more about what CAN was hoping to accomplish with these bills, please read my Opinion piece from yesterday's Orlando Sentinel by clicking here: [HOA, condo owners deserve storm insurance protections](#).

CAN in the NEWS

[HOA, condo owners deserve storm insurance protections](#)

[Pushing Banks Beyond the Safe Harbor Threshold](#)

[Are You Vulnerable to a Frivolous Age Discrimination Lawsuit?](#)

[View from the Capitol: The Two "R"s - How a Bill Really Becomes a Law](#)

[An Open and Shut Case for Gated Communities](#)

[How Much Thought Goes into the Selection of Your Community?](#)

[CAN Executive Director: Profile in Leadership](#)

[View from the Capitol, FCAJ November](#)

[Policy Concerning Retroactive Regulation Gets Even Cloudier](#)

[Condo Owners Confront Lawmakers at Roundtable](#)

[Condo and HOA Law Blog](#)

CAN remains committed to securing the same consumer protections that residential insurance policyholders have for the commercial residential policies that community association boards must purchase. Over the summer, we will be meeting with the relevant stakeholders and hopefully come forward with a piece of consensus legislation.

HB 213, the mortgage foreclosure bill filed by Representative Passidomo, is still working its way through the process. CAN has drafted several amendments that will be beneficial to community associations, particularly when confronted with the pervasive problem of abandoned properties, and we have had favorable conversations with the bill sponsor about adding those at a future stop. The companion bill is SB 1890 by Senator Latvala but it has not gotten a hearing on the Senate side.

SB 1408 which is known as Florida's Timeshare Resale Accountability Act, is sponsored by Senator Andy Gardiner (R-ORL). This bill is in its last committee, General Government Appropriations. The companion is HB 1001 by Representative Eisnaugle. It has two more committee stops to go, Judiciary and Economic Affairs. These bills are designed to cut down on frauds committed by time-share resale companies.

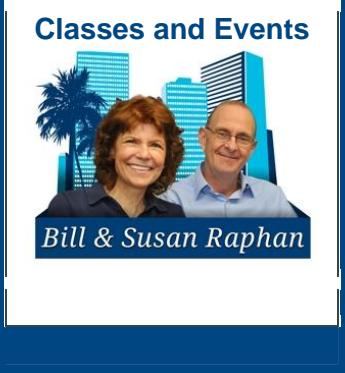
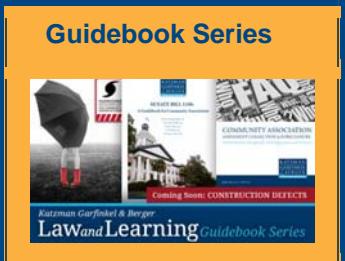
For those of you who are interested in attending our next Board Member Boot Camp® in Titusville on Saturday, February 25th, be sure to register soon as we are nearing capacity. I am happy to announce that in addition to certifying directors for service on their boards, our Board Member Boot Camp® has also just been certified to provide association managers with 5 hours of CEU including the hard-to-obtain HR credit. To register, watch a testimonial or place your name on a Waiting List for an upcoming Board Member Boot Camp® in your area, please go to www.boardmemberbootcamp.com.

Very Truly Yours,



Donna DiMaggio Berger, Esq.
Executive Director
Community Advocacy Network

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The Community Advocacy Network (CAN) is Florida's leading voice for the interests of more than 60,000 community associations statewide, leading the fight against over-regulation of private residential communities by state and local government. Each year since its inception in 2007, CAN has spearheaded important State legislative reforms designed to protect and enhance Florida community association living and foster the financial stability and operational integrity of common-interest ownership communities statewide.