



CALL Alert for JANUARY 25, 2011- Community Association Bill (SB 530) Has Been Filed

CALL was requested by members of the Legislature to assist in identifying areas where the intended reforms created in 2010 by SB 1196 could be better clarified in the law. As a result, CALL drafted language to be included in a “glitch bill” for the 2011 Legislative Session. The bill was filed yesterday by Senator Fasano, and it is Senate Bill 530 (SB 530). You may review the bill on CALL’s website (www.callbp.com) under “Latest Updates”. As with any legislation, SB 530 is a work in progress and there may be additional revisions as we work to refine the language.

SB 530 includes a number of provisions drafted by CALL including, but not limited to, the following:

- Will clarify that although personnel records are not available for inspection by owners, the owners will be permitted to inspect employment agreements and budgetary and financial records that indicate the compensation paid to employees.
- Will clarify that owners may consent to the disclosure of their protected contact information.
- Will allow condominium association boards the right to hold closed meetings to discuss personnel matters, without an attorney being present (note: homeowners’ association boards already have this right).
- Will clarify the ability to lien for management fees related to delinquencies for condominium, cooperative, and homeowners’ associations. SB 1196 allowed cooperatives to secure these management fees via lien, but similar language is not found in the condominium and homeowners’ association acts. The CALL proposal will clarify the rights and responsibilities of the management company providing these services and will allow the association to insure that the additional expense is passed on to the delinquent owner.
- Will clarify that when an owner in a condominium, cooperative or homeowners’ association is delinquent in the payment of monetary obligations to the association, any unpaid rent due related to the unit/share/parcel must be paid to the association until such time as all the “monetary obligations” of the owner, including unpaid

assessments and obligations that accrued before the demand for rent is made, have been paid in full to the association.

- Will clarify the procedures to be followed by condominium, cooperative, and homeowners' associations when suspending use rights and voting rights when an owner is delinquent in the payment of assessments.

SB 530 also includes a number of provisions drafted by the Florida Bar's Real Property Section on the following subjects:

- Condominium termination.
- Condominium bulk-buyers.
- Condominium association authority to enter into agreements to acquire leaseholds, memberships, and other possessory and use interests in country clubs, golf courses, marinas, and other recreational facilities.
- Bulk communication, internet and information services for homeowners' associations.

We will continue to keep you updated regarding SB 530.

Very truly yours,

Yeline Goin and David Muller, Co-Executive Directors
Community Association Leadership Lobby (CALL)

Please visit our "CALL" Website at www.callbp.com to view the full text of the bills "CALL" is tracking.

This e-mail was sent by the Community Association Leadership Lobby located at 3111 Stirling Road, Ft. Lauderdale, FL 33312 in the USA. To receive no further e-mails from "CALL", please reply to this e-mail with "unsubscribe" in the Subject line.