



January 5, 2016

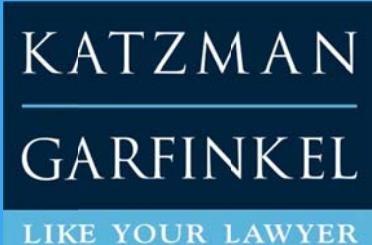


Community Advocacy Network Alert



Alan B. Garfinkel, Esq.
Katzman Garfinkel, Founding
Partner and CAN Chairman

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Next week, they're Baaack . . . the 2016 Florida Legislative Session and the terrible "Estoppel Bills."

We need your help **NOW** to Smash It! Please sign CAN's petition which will be printed and personally hand delivered to your Legislators in Tallahassee, telling them to vote NO to House Bill 203 and Senate Bill 722.

You can sign the petition (if you are unable to open, please cut and paste the link below into your browser):

<http://www.change.org/p/vote-no-on-hb-203-and-sb-722>

Here's why your signature is critical:

As a homeowner in a community association, these bad bills will **INCREASE your fees and assessments** in the following ways:

1. HB 203, known as the Home Tax, would raise homeowner association fees across the state anywhere from 10 percent to 20 percent - and in some cases upwards of 30 percent;
2. The bill would force homeowners to pay costs for someone else's new home purchase in their community. It does this by shifting the financial burden of preparing estoppel letters from the buyer and seller to you and your neighbors;
3. Forcing your Association to become a debt collector-instead of being paid when your Association pays its bills just like everyone else, your community will have to prepay for legal and other expenses and then chase down payment;
4. Arbitrarily (not so arbitrary if you own a title company or do closings) limiting how much title companies pay your Association



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for bills your Association incurs. If the actual costs are higher, then you and your neighbors must pay the difference;

5. If for some reason the home in your community doesn't close for any reason, guess what?...that's right...you eat the costs for a failed purchase you knew nothing about.

You can help today. Please sign CAN's petition [by clicking here.](#)

Together, We Will Smash The Home Tax!

You can learn more about this Bad Bill Here:

<https://youtu.be/BVPAKbbTP2k>

www.SmashTheHomeTax.com

The following are some other bills of note affecting community association living:

- HB 653, HB 665, HB 667 and SB 1292.
- HB 297 and SB 316. These proposed bills provide that a construction contract is considered complete on the last day the contractor, architect, or engineer performs services related to the contract.
- SB 792. This proposed bill clarifies how an amendment to a condo or HOA declaration can be changed.
- SB 1122 by Sen Hays does a number of things:
 1. Holds a Manager/LCAM or Management Firm accountable for damages if it/they fail to provide a homeowner with access to official records if that association has given that responsibility to a management firm or CAM. That Manager or Firm cannot indemnify themselves from having to pay the damages assessed by failing to provide access.
 2. Requires annual reporting by the Firm, CAM, or Association.
 3. 720.307 Transition of association control in a community - defines limits on number of units and time frame for transition.
 4. States that the Department will be an arbitrator for all disputes under this section.

5. To pay for the Department, this bill requires each unit to pay \$2 to the government (making you pay for regulation you didn't want or need).

6. States the causes of actions against a developer by a non-developer parcel owner and clarifies a developer's use of association funds.

We at CAN continue to work with our partners around the state and in Tallahassee to keep you informed.

Please stay involved. No one wants to pay more taxes for owning a home in a community association.

Yours in Community,

**Alan Garfinkel, Esq.
Katzman Garfinkel, Founding Partner
Community Advocacy Network (CAN), Chairman**

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

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