

COUNCIL OF NEIGHBORHOOD ASSOCIATIONS, INC.

Members Meeting

May 17, 2017

Gulf Harbors Civic Association Clubhouse
Floramar Terrace

Meeting Commenced at 9:35 AM.

Officers Present: President – Dominick Scannavino; Vice President – Ron Hubbs;
Treasurer – Helen Kelley

Excused: Secretary – Sally Hanlon

Directors Present: Membership Chairperson – Kelly Miller; Government Committee -
Ernie Reed and Hugh Townsend; Program Committee - Theresa Torchin and John Ford

President Scannavino led the Pledge of Allegiance. He welcomed all attending members. He provided a brief description of the inception and purpose of CONA detailing that CONA provides representation for community associations in Tallahassee. CONA members meetings are held the third Wednesday of each month from September through May.

Minutes and Treasurers Report were deferred.

President Scannavino recognized attorney Mr. Leonard Malkin and PACA President John Copeland in the audience.

President Scannavino introduced his fellow panelists Mr. Travis Moore, lobbyist with the Florida Legislative Alliance, and Mr. Barry Skarr of Skarr insurance.

Travis Moore provided a brief overview of the legislative process. Our legislature, unlike other large states, has a part-time legislative body whose members all have other occupations. Consequently, the legislature meets for only sixty days per year. In odd numbered years, the members meet from the first Tuesday after the first Monday in March through May. In the even numbered years, they meet from January through March. For this upcoming legislative session, committee meetings will start in September. When the legislature is in session, any bill sent to the Governor has ten days to be signed or vetoed. When the legislature is not in session, any bill sent to the Governor has fifteen days to be signed or vetoed. If no action is taken on a bill sent to the Governor within the allotted time frame, the bill automatically becomes law.

Mr. Moore outlined three main bills which have passed the legislature and are on the Governor's desk.

➤ SB 398 commonly referred to as the estoppel bill

Realtors have been concerned with the amounts of estoppel preparation charges and title companies have been concerned with the timing of the payment for the estoppel

preparation charges. This new bill represents a compromise addressing these concerns and stipulates the following:

1. Estoppels must be provided within ten business days.
2. Estoppels must be valid for 30 calendar days if provided via email or fax or 35 calendar days if provided via regular mail.
3. Amendments can be provided to the original estoppel but such amendments reset the clock.
4. Payment for the estoppel preparation is due when the estoppel is provided.
5. Caps have been established regarding the allowable charges for estoppel preparation:
 - a. \$250.00 for estoppel preparation for non-delinquent property
 - b. \$150.00 ADDITIONAL (\$400.00 total) for estoppel preparation for delinquent property
 - c. \$100.00 ADDITIONAL for expedited estoppel preparation defined as three business days or less
 - d. Specific amounts have been set for bulk transfers of property such as for lending institutions and developers
6. If the estoppel is not provided within the ten calendar days set out in the bill, both the charge to prepare the estoppel AND the any delinquencies, fees, fines, etc. enumerated in the estoppel are wiped out.
7. The bill provides for a five year CPI adjustment to the caps.
8. The bill contains a standardized form for estoppel requests.
9. The estoppel form does not have to be completed by an attorney.
10. The parties to the sale have a right to a refund if the sale does not close.
11. Be careful to account for attorney fees when submitting estoppel. (Mr. Malkin explained that he will be providing a Delinquency Payout Letter for his clients.)
12. The bill is due to take effect July 1, 2017.

➤ HB 1237 pertains only to condominiums

This bill originated in concerns from unscrupulous practices in some condominium complexes in Miami-Dade County. In response, a DVPR office has been established in Miami-Dade County. Some of the fund sourced by the \$4/door fee for condos, coops and timeshares (this year at 4 million dollars) has been retained to provide this service. Normally, the fund is swept clean annually and used for a variety of non-related activities.

1. Section 718 has been modified to reference particular criminal statutes which may apply for certain unscrupulous behaviors of certain board members or full boards of directors.
2. Communities of more than 150 units must publish and maintain website access to community documents (Effective July 1, 2018)
3. Renters must also have access to records.
4. Term limits and recall provisions have been outlined.
5. There is a prohibition of multiple owners of the same unit serving on the Board of Directors unless no one else is willing to serve. This rule can be overturned by a 2/3 vote.

➤ HB 653

1. Co-ops and condominiums taller than 75 feet can now opt out of retrofitting for sprinklers under new guidelines with a 2/3 vote but must publicly disclose such action.
2. Under Sections 718 and 720, board members can communicate but not vote via email.
3. Associations can waive yearly audits regardless of size or budget.
4. The personal computers of board members are not accessible to members of an association.
5. Association records must be made accessible to members upon request within ten business days.
6. Association members may be notified by email if email addresses have been provided by the members.

All of these bills can be reviewed online at www.myfloridahouse.gov or www.myfloridasenate.gov by looking for the enrolled version of the bill.

Mr. Skarr summarized the outcomes of those legislative bills which affected the insurance industry.

- PIP, Florida no fault insurance, was not repealed.
- Workers Compensation increases were reinstated at a rate of 14.5% increase.
- The legislature failed to curb or eliminate the practice of AOB, assignment of benefits, of homeowners insurance claims.
- The legislature failed to raise the liability coverage limits on condominium master association policies which currently stand at \$100,000 per unit.
- The legislature is trying to give more options to associations in their choices of carriers.

President Scannavino noted that several bills which died in the legislature this session, including those addressing disaster abatements, marketable title and vacation rental limitations, and discrimination, may be revived in the next session.

President Scannavino presented Mr. Moore and Mr. Skarr with Certificates of Appreciation for their presentations.

President Scannavino closed the meeting with an encouraging message to join CONA and participate in the organization in the coming year. CONA Members Meetings will resume in September.

The meeting was adjourned at 11:30 AM.

Respectfully submitted,
Theresa Torchin for
Sally Hanlon, Secretary