

COMMUNITY NEWS

The Council of Neighborhood Associations

The Voice of Condo, Civic, and Homeowner Associations of Pasco County

CONA would like to take this opportunity to recognize the unfortunate devastations in the United States, our neighboring countries & the world. With somber hearts, we are humbled and express our condolences to all that have, and continue to be affected.

CONA programs are held at the Gulf Harbor's Civic Center at 4610 Floramar Terrace, New Port Richey, FL 34652 & begin at 9:30 am.

Oct 18, 2017: Legal Q&A:
Attorney, James DeFurio

Nov 15, 2017: Flooding in Pasco County:
David Z. Sua, PE, Engineer III Pasco County Stormwater Management Division Department of Public Works & Assistant Public Works Director Donald S. Carey, PE.

Dec 14, 2017: Christmas Appreciation Breakfast

CHRISTMAS APPRECIATION BREAKFAST TICKETS ON SALE!

Christmas Appreciation Breakfast FAQs

When is the event?

Thursday, December 14th

Where is the event?

Heritage Springs Country Club
11345 Robert Trent Jones Pkwy
Trinity, FL 34655

What Time does the event start:

Begins at 9:00 a.m.

How Much is a Ticket?

The cost is \$20.00 per ticket

How Do I Purchase a Ticket?

Contact a CONA Board Member (see page inside)

If the Association I live in is a CONA member, can I attend?

Yes, you may attend.

To answer more questions about the breakfast please contact a CONA Board Member (see page inside)



FOR IMMEDIATE RELEASE

September 26, 2017

Contact: Rosemarie Bruckner
Pasco County Public Transportation
Office: 727.834.3322
info@ridepcpt.com

PCPT announces expanded evening bus service on Route 19

~~New hours begin October 2, 2017 with free, evening rides!~~

PASCO COUNTY, FL ---- The Pasco County Public Transportation Department (PCPT) is pleased to announce new, extended evening bus service hours on the popular U.S. 19 route beginning Monday, October 2, 2017. Passengers will now have the opportunity to ride Route 19 buses until 10:30 p.m. Mondays through Fridays and until 7:00 p.m. on Saturdays.

"We are pleased to improve PCPT operations by providing later bus service on Route 19," said PCPT Director Kurt Scheible. "Offering extended bus service hours on Route 19 will accommodate people who work later hours, and citizens and neighbors who would like to take advantage of businesses and restaurants that are open later on U.S. 19." To celebrate the new, extended bus service hours on Route 19, PCPT is offering free rides from 8:00 p.m. to 10:30 p.m. during the first week of service from Monday, October 2, 2017 through Friday, October 6, 2017.

To learn more about Pasco County Public Transportation, including bus routes, transportation news and schedules visit the PCPT website at: <http://www.ridepcpt.com>.

FOR IMMEDIATE RELEASE

September 27, 2017

Contact: George Romagnoli
Community Development Director
Office: 727.834.3445
gromagnoli@pascocountyfl.net

No-Interest Loans Available to Help Stormproof Pasco Homes

~~Applications being accepted to help homeowners prepare for severe weather~~

PASCO COUNTY, FL ---- Pasco County Community Development is now accepting applications for the Hurricane Loss Mitigation Program (HLMP), which is designed to help homeowners prepare for potential hurricanes. The program includes installation of the following: roofing, gable end bracing, truss or rafter-to-wall connections, impact-resistant doors, window storm shutters and/or impact windows. All items must be installed or verified as existing to meet the requirements of the HLMP.

There is no income cap to be eligible for this program. The maximum household value (according to the Pasco County Property Appraiser) cannot exceed \$350,000.00.

Funding for this program will be provided through a zero percent interest mortgage placed on the homeowner's property. Loan terms will be determined by the amount of assistance provided and the homeowner's ability to repay the loan.

Residents living in unincorporated Pasco County, as well as the cities of Dade City,

Zephyrhills, New Port Richey, and Port Richey are encouraged to apply.

To request an application, please contact the Community Development Department at 727.834.3445.

DOES THE ASSOCIATION’S INSURANCE COVER HURRICANE DAMAGES TO BUILDING EXTERIORS?

Editor’s note: Attorneys at Goede, Adamczyk, DeBoest & Cross, respond to questions about Florida community association law. The firm represents community associations throughout Florida and focuses on condominium and homeowner association law, real estate law, civil litigation, estate planning and commercial transactions.

Q: I am a member of the board of directors of the condominium association which governs the community in which I reside. While we were preparing for Hurricane Irma questions arose relating to insurance coverage for damages caused to the community’s buildings and other property and to condominium units. Does the condominium association’s insurance policy cover damages caused by the hurricane to all property damages caused to building exteriors and unit interiors?

— P.M., Stuart, Florida

A: The question you raise was one of the issues facing condominium associations in the aftermath of Hurricane Wilma in October of 2005. The issue arose in the context of insurance coverage disputes in which condominium associations made claims under their property insurance policies and in which the unit owners simultaneously made claims under their homeowners insurance policies for the same event- the hurricane- the result of which was that the competing insurance companies denied coverage under the association’s insurance policy claiming that the unit owners homeowners insurance company was responsible and vice-a versa. In order to provide clarity relating to the scope of the association’s and the unit owner’s insurance obliga-

tions, and those of insurance companies to decide which property is covered under the association’s and the unit owner’s insurance policies, the Florida legislature made changes §718.111(11) of the Florida Condominium Act (the “Act”), the purpose of which was to “protect the safety, health and welfare of the people in the [state] and to ensure consistency in the provision of insurance coverage to [residential] insurance coverage to condominiums and their unit owners,” with the intent to “encourage lower or stable insurance premiums. . .”

Under §718.111(11)(a), an association must provide adequate property insurance for the replacement cost of the insured property as determined by an independent insurance appraisal or update of a prior appraisal, which must be determined at least once every 36 months. When determining the adequate amount of property insurance coverage, the association may consider deductibles as a component of the insurance costs as determined by the board so long as they are consistent with industry standards and prevailing practice for communities of similar size and age, and having similar construction and facilities in the locale. The amount of deductibles may be based on available funds, including reserve accounts, or predetermined assessment authority at the time the insurance is obtained, in the event an association desires to set a larger deductible to be funded by association dollars in consideration of reducing the insurance premium costs.

As to the scope of the association’s insurance coverage, the association’s must provide primary coverage for all portions of the condominium property as originally installed or replacement of like kind and quality in accordance with the original plans and specifications; and all alterations or additions made to the condominium or association property. For insurance purposes insurance coverage “condominium Property” general means all property not included within a confines of a unit, up to the horizontal and vertical concrete slabs extending to and including the unfinished drywall. Conversely, the association’s property in-

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insurance must exclude all personal property within the unit or limited common elements, and floor, wall, and ceiling coverings, electrical fixtures, appliances, water heaters, water filters, built-in cabinets and countertops, and window treatments, including drapes, blinds, hardware and similar window treatment components, or replacements to any of foregoing which are located within the boundaries of the unit and serve only such unit.

Such property and any related insurance is the responsibility of the unit owner.

Unless approved by a majority of the total voting interests in the association, an association is required to repair, replace or reconstruct any property covered by its insurance, and all deductibles, uncovered losses, and other damages in excess of insurance are a common expense payable proportionately by all unit owners, unless a unit owner is responsible for the costs not paid for by insurance as a result of intentional conduct, negligence or failure to comply with the terms of the declaration or association rules.

In dealing with the intricacies and nuances incident to association insurance matters the best practice is for the association to seek the advice of experienced legal counsel, and insurance company professionals intimately familiar with community associations. The best time to address an association's insurance needs and the scope of its insurance policy's coverage is before the need to make a claim arises and before the association discovers that the existing insurance policy does not provide the coverage which was thought to exist.

If the need arises for an association to make a property damage claim with its insurance company, in addition seeking the advice of legal counsel and insurance professionals, the recommended best practice for the association would be to consider retaining reputable building industry professionals to assist in damage assessment; and a public adjuster to act as the associations' agent in the claims administration process. All of the members of the association's team assembled to tackle the claims assessment and administration process must work hand-in-glove to achieve the best result for the association.



Have a safe
Halloween

A SPOOKY STORY: NO MORE FLORIDA CONDO NIGHTMARES

Miami Herald Editorial Board

July 05, 2017 9:37 PM

At last, the state has taken an important step to penalize the fraud and abuses that have plagued many condominiums in Miami-Dade and Broward — and the rest of Florida.

Last week, Florida Gov. Rick Scott signed into law needed condo law reforms, bringing their dealings into the light.

From now on, condo associations that have 150 or more units are required to issue financial reports and make them available on a website with a shared password.

The enhanced law will also limit to eight years terms served on condo governing boards, and it broadens and clarifies the definition of conflicts of interest.

This key addition will help prevent nepotism, such as the granting of maintenance contracts and services to relatives of board members or the managers themselves.

Under the new law, fraud in the election of condo association directors, falsification of signatures on election ballots, the manipulation of condo records, and the theft or disappearance of ballots will be considered serious violations that could be punished with prison terms — giving the law some sharp and teeth.

The Miami-Dade delegation introduced the bill in Tallahassee earlier this year.

These lawmakers are to be commended for fighting tooth and nail to get it to become law. They celebrated their victory with a handful of condo dwellers from Miami-Dade who worked to get the bill passed and traveled to the state capital for the final vote.

The bill came out of an investigative series on condo abuses by el Nuevo Herald and Univision 23.

The series, "Condo Nightmares," revealed numerous instances of condo board election fraud, falsified signatures, conflicts of interest, possible misappropriation of funds, and other irregularities, all uncovered by reporters Brenda Medina and Enrique Flor of el Nuevo and Erika Carrillo of Univision 23.

"This is a very important law for Miami-Dade because it's something that condo owners have been waiting for nearly a decade," Hialeah Republican Sen. René Garcia, who co-sponsored the bill with Miami Democrat José Javier Rodríguez, told the Herald. In the House the bill was championed by Rep. Jose Felix Diaz. In the end, it was the House version (HB1237) that was approved by the legislature.

The abuses uncovered by the series led to a scathing February report by a Miami-Dade grand jury that echoed the series' findings and recommended significant changes and a beefing up to Chapter 718 of the state statutes, which regulates condos, as well as the state agency that is supposed to monitor and punish violations, the Department of Business and Professional Regulation (DBPR).

The bill faced a hard road. The original legislation, which was stricter on abusers, was opposed by attorneys from condominium associations and also the Florida Bar, claiming it did not want new crimes to be created. Miami-Dade lawmakers made several amendments to the bill and got it done.

Now, the new law clarifies the crime committed and the punishment to be faced.

Police departments and state prosecutors had said they have not investigated complaints of electoral fraud in condominium associations because the law did not spell out criminal punishments and they could do little to charge wrongdoers.

For the millions of Floridians who live in condos — and for those who are being held hostage by a homeowners association gone rogue — there is now stronger legal recourse.

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