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2016 REVISIONS TO FLORIDA COMMUNITY ASSOCIATION LAW

September 29, 2016

(Via e-mail)

Dear Client:

While there were multiple condominium and HOA related amendments proposed in this year's legislative session, most of them ultimately were not considered or did not pass. Therefore, there are only a couple of key revisions to consider.

The key 2016 revisions to the Condominium Act are as follows:

1. **Lease Approval Time.** If the governing documents allow for the association to approve a tenant and if the prospective tenant is a servicemember, the association must complete processing of the application and notify the servicemember in writing of the approval or denial, **within seven (7) days** after submission of the application. If denied, the reason for denial must be provided.

* "Servicemember" means any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Florida National Guard and United States Reserve Forces.

2. **Sprinkler Retrofitting.** Although there have been some conflicting reports as to which condominiums are affected, we recommend that ALL condominiums (even those below 75 feet in height) should take an opt-out vote of the members in order to forego sprinkler retrofitting. The vote, and certificate attesting to the vote which must be recorded in the public records, should be completed by December 31, 2016.

The key 2016 revisions to the Homeowners Association Act are as follows:

1. **Lease Approval Time.** If the governing documents allow for the association to approve a tenant and if the prospective tenant is a servicemember, the association must complete processing of the application and notify the servicemember in writing of the approval or denial, **within seven (7) days** after submission of the application. If denied, the reason for denial must be provided.

* “Servicemember” means any person serving as a member of the United States Armed Forces on active duty or state active duty and all members of the Florida National Guard and United States Reserve Forces.

These revisions are effective as of July 1, 2016. If there are any questions I can answer in this regard, please let me know.

Sincerely,

E. Bachove (e-mail signature)

EVAN R. BACHOVE