

New 2024 Florida Legislation Impacting Community Associations

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Florida has introduced new legislation and implemented changes to various regulations impacting community associations, many of which have either gone into effect or will go into effect beginning July 1, 2024.

This session, there are four main bills that impact community associations: HB 59, HB 1203, HB 1029, and HB 1021.

To assist with our clients' awareness and understanding of recent laws adopted by the State of Florida, we have prepared this summary of community association law changes that resulted from the last session of the State of Florida legislature.

These new laws cover many facets of operations, including hurricane protection installation requirements, conflicts of interest disclosure, updated criminal violations for certain Board member actions, new mandates on board meetings, member education requirements, election and voting standards, among many others.

It is time for community association managers, owners, and board members to be aware of these changes, and plan accordingly. Let's discuss these laws further.

Condominium/Cooperative Associations

["Condo 3.0" – HB 1021: Condominium Associations](#)

HB 1021 was approved by Gov. DeSantis on June 14, 2024, with an effective date of July 1, 2024, unless otherwise noted in the statutes. HB 1021 primarily focuses on governance and operations of condominium associations. Based on the direction of these new laws, informal procedures are in the past and condominium association operations should be more formal going forward.

Budgets, Financial Reporting, and Reserves – Condominiums and Cooperatives

- Prohibits associations from preparing a financial report to satisfy its annual financial reporting requirement for consecutive years.
- In addition to providing copies of the mandatory structural inspection reports, associations are now going to be required to provide unit owners with notice that the structural integrity reserve study (SIRS) is available for inspection and copying within 45 days of completion of the study. The notice may be provided electronically, if previously consented to notice by electronic transmission by a unit owner. Additionally, Condominium and cooperative associations must notify the division within 45 days after the SIRS is completed.
- By January 1, 2025, the division must create a database of associations that have completed the SIRS.
- After December 31, 2024, the division must include in its annual report a list of all associations that have completed the SIRS.
- Condo associations will be permitted to temporarily pause the funding of reserves or a reduce reserve funding if the entire condominium building is uninhabitable due to a natural emergency, as determined by the local enforcement agency, upon majority approval of the members. Any reserve account fund may be used, in the Board's discretion, to make the condominium building and its structures habitable. Once the building is habitable, the Association must immediately resume contributions to its reserves.
- A person is committing theft and must be removed from office, with a vacancy declared if they use a debit card in the name of the Association, or that is billed to the association for any obligation that has not been properly preapproved by the board and is reflected in the meeting minutes or written budget.

553.899 Mandatory Structural Inspections: not applicable to single, two, three, *and now four-family dwellings* with three or fewer stories

Official Records Section 718.111:

- Email addresses are an official record if consent to electronic notice has been received, or if express authorization to share such personal information with Unit Owners has been provided and the Unit Owner has not opted out.
 - The association now has an obligation to ensure that owner's e-mail addresses are used for business operation and not shared with third parties. Personal information must be redacted before a document is shared with third parties; however, the association is not liable for inadvertent disclosure of such personal information, unless such disclosure was made with knowing or intentional disregard to the protected nature of such information.
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- “Invoices, transaction receipts, or deposit slips that substantiate any receipt or expenditure of funds” as well as building permits, and satisfactorily completed board member educational certificates, have been added as an official record.
 - Records must be maintained in an organized manner to facilitate inspection by a unit owner. If records are lost or destroyed, there is now a good faith obligation to obtain and recover the records, as reasonably possible.
 - Associations are now required to respond to a records request with a checklist (which must be maintained for 7 years) of all records provided. The checklist must also identify any records that were not made available. The checklist creates a rebuttable presumption that the records request has been complied with.
 - If requested records are posted on the association’s website, or are available for download through an application, the association may fulfil its obligations in responding to records requests by directing the requestor to the website or the application.
 - The Division will also be authorized to request access to an association's website to investigate complaints related to unit owner access to official records on such website.
 - If any person knowingly or intentionally defaces or destroys accounting records or knowingly or intentionally fails to create or maintain accounting records that are required, with the intent of causing harm, they will be subject to a 1st degree misdemeanor, in addition to being subject to civil penalties, and must be removed from office and a vacancy declared.
 - Someone that willfully and knowingly refuses to release or produce records, with an intent to avoid or escape detection, arrest, trial, or punishment of a crime, or who assists another person, will be subject to a third degree felony, and must be removed from office and a vacancy declared.

Condominium Board Meetings – Section 718.112(2)(c):

- Residential condominiums with more than 10 units are required to have a board meeting at least once every quarter and at least 4 times a year.
 - Meeting agendas must include an opportunity for members to ask questions of the Board.
 - Members must be provided with the opportunity to speak at the meetings on all designated agenda items and must be permitted to ask questions relating to reports on status of construction or repair projects, status of revenues and expenditures during the current fiscal year, *and other issues affecting the condominium.*
 - Meetings: notice of any meeting at which regular or special assessments are considered, must specifically state that assessments will be considered and provide the estimated cost and description of the purpose for such assessment.
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- If an agenda item relates to the approval of a contract for goods or services, a copy of the contract must be provided with the notice of the board meeting and available for inspection and copying upon request from an owner or made available on the Association's website or application.

Condo Director Education Requirements – Section 718.112:

- Directors of a residential condominium, will need to comply with the following:
 - Within 1 year or within 90 days of appointment or election, must submit a certificate verifying completion of an educational curriculum that is at least 4 hours long and includes instruction on milestone inspections, structural integrity reserve studies, elections, recordkeeping, financial literacy, and transparency, levying of fines, as well as notice and meeting requirements.
 - The above certificate will be valid for 7 years following the date of issuance.
 - Additionally, 1 year after completing the 4 hour course, and each year thereafter, the director must complete at least a 1 hour continuing education course relating to recent changes to Chapter 718 and related administrative rules for the past year.
 - Additionally, directors are required to certify in writing that they have read the association's governing documents, will work to uphold the documents to the best of their ability and faithfully discharge their duties.
 - Existing Directors appointed before July 1, 2024, must comply with the 4-hour course requirement by June 30, 2025.

Director or Officer Offenses – Section 718.112:

HB 1023 incorporates criminal charges and penalties related to condominium associations operations and if an officer or director is charged by information or indictment, they must be removed from office:

1. Forgery of a ballot envelope or voting certificate used in an election.
 2. Theft or embezzlement involving the association's funds or property.
 3. Destruction of, or the refusal to allow inspection or copying of an official record of the association, in the furtherance of a crime. Such action will also be considered tampering with evidence.
 4. Obstruction of justice.
 5. A criminal violation under Chapter 718
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6. Fraudulent voting activities, relating to association elections.

Criminal Penalties:

- First degree misdemeanor for knowingly and intentionally defacing or destroying required accounting records, or knowingly and intentionally failing to create or maintain required accounting records, with the intent of causing harm to the association or one or more of its members.
- Third degree misdemeanor for fraudulent voting activities relating to association elections including: making false oaths or affirmations in connection with voting activities; perpetrating or aiding in fraud with a vote cast, preventing a member from voting as intended or fraudulently changing a ballot, envelope, vote, or voting certificate; menacing, threatening or using bribery to influence deceive or deter a voting member; giving or promising, directly or indirectly anything of value with the intent to buy a member vote; and threatening violence or using intimidation tactics to induce a vote.
- First degree misdemeanor for knowingly aiding, abetting, or advising a person in the commission of a fraudulent voting activity related to association elections; agreeing, conspiring, combining, or confederating with at least one other person to commit a fraudulent voting activity related to association elections; and/or having knowledge of a fraudulent voting activity related to association elections and giving any aid to the offender with intent that the offender avoid or escape detection, arrest, trial, or punishment.
- Second degree misdemeanor for any director or member of the board or association to knowingly, willfully, and repeatedly violate (two or more violations within a 12-month period) any specified requirements relating to inspection and copying of official records of an association with the intent of causing harm to the association or one or more of its members.
- Third degree felony for willfully and knowingly refusing to release or otherwise produce association records, with the intent to avoid or escape detection, arrest, trial, or punishment for the commission of a crime, or to assist another person with such avoidance or escape.
- Third degree felony for an officer, director, or manager of a condominium association to knowingly solicit, offer to accept, or accept a kickback.

Hurricane Protections – Section 718.103: HB 1021 incorporates the following requirements with regard to hurricane protection and implementation:

- Residential and mix use condominiums are required to adopt hurricane protection specifications for each building within the condominium.
 - Residential condominiums and mix-use condominiums must specify whether the unit owner is responsible for the installation maintenance, repair, or replacement of hurricane protection of the
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condominium and association property.

- Hurricane protection is not considered a material alteration or a substantial addition to the common elements.
- Upon a majority of the voting interests, condominium may require that unit owners install hurricane protection that complies with or exceeds applicable building code.
- The costs of the installation of hurricane protection are enforceable as an assessment.
- Unit owners do not need to approve the installation, maintenance, repair, or replacement of hurricane protection or any exterior windows or doors protected by hurricane protection if those items are the responsibility of the Association or if unit owners are required to install hurricane protection pursuant to the Declaration.
- Board may not deny hurricane protection that conforms with specifications adopted by the board; however, associations may require that unit owners adhere to existing unified building scheme regarding the external appearance.
- If removal of hurricane protection is necessary for maintenance, repair, or replacement of condominium property, a unit owner is not responsible for the cost of removal or reinstallation.
- Creating a uniform definition for “hurricane protection”
 - (Shutters, impact glass, code-compliant windows/doors, products to preserve and protect from storms).
- Requiring condominium declarations to delineate the responsibilities of unit owners and associations for the costs of maintenance, repair, and replacement of hurricane protections, exterior doors, windows, and glass apertures.
- Providing a uniform procedure for approval of hurricane protection.

SLAPP and Defamation Suits – Section 718.1224:

HB 1021 revises the prohibitions against “strategic lawsuits against public participation” or “SLAPP suits.”. SLAPP lawsuits are designed to silence participation and the rights of owners. A SLAPP lawsuit would be a defense to the extent there is an allegation of retaliatory conduct by a Board against an owner that is exercising their right to complain, request redress, criticize or make statements regarding the operation or decisions by the Board or the Association.

The bill protects unit owners who report complaints to the association, government agencies or law enforcement, or make public statements critical of the operation or management of an association by prohibiting associations from:

- Retaliating against unit owners, by imposing fine, discriminatorily increasing assessments,
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decreasing services, or threatening to bring an action for possession or other civil action, including defamation, libel, slander, or tortious interference, based on protected conduct by the unit owner.

With that being said, an owner may only use a SLAPP lawsuit as a defense when they are acting in good faith and not for an improper purpose; including harassment or to create unnecessary delays for frivolous purposes. Owners have a right to question and review decisions by the Board, but do not have a right to recklessly interfere with operations and must have a reasonable basis for their actions. It is our recommendation that associations incorporate policies for official records inspections, proper and professional decorum, and writing inquiry requests to limit and minimize risks and undue burdens on the association. Based on the new law, a condominium association may not expend association funds in support of a defamation, libel, slander, or tortious interference action against an owner for protected conduct.

Division of Florida Condominiums Investigation Jurisdiction Expanded – Section 718.501:

Jurisdiction to investigate complaints referred to the Division will be expanded to include complaints related to the following matters:

- Procedures and records related to financial issues, including annual financial reporting, assessments for common expenses, fines, and commingling funds;
- Elections, including election and voting requirements, and recall of board members;
- The maintenance of and unit owner access to association records;
- The procedural aspects of meetings, such as unit owner meetings, quorums, voting requirements, proxies, board of administration meetings, and budget meetings;
- Disclosure of conflicts of interest;
- Removal of a board director or officer under Ch. 718, F.S.;
- The procedural completion of structural integrity reserve studies; and
- Written inquiries by unit owners to the association.

The bill requires that the division must refer to local law enforcement authorities any person it believes has engaged in any criminal activity. The bill also provides that the division and the office of the condominium ombudsman may attend and observe any meeting of the board or any unit owner meeting, for the purpose of performing the duties of the division or the office of the ombudsman.

Voting Rights:

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- If the Board authorizes online voting, the board must honor a unit owner's request to vote electronically at all subsequent elections, unless such owner opts out of online voting.
 - Unit owners may consent to electronic voting electronically as well as in writing.
 - Condo Associations must notify a unit owner at least 90 days before an election if they intend to suspend voting rights due to nonpayment of a monetary obligation.

Additional HB 1021 Items to Note:

- Construction Defects – The Statute of Limitations and Repose does not run until unit owners have elected a majority of the members of the Board.
- Pre-Sale Disclosures: Effective October 1, 2024, prospective purchasers must receive the most recent annual financial statement and annual budget. It revises escrow requirements for Developers.

Additionally, HB 1021 also implements certain requirements for community association management teams and managers that will impact and streamline management services, including:

Community Association Management Transition (468.4334): requires community association managers (CAMs) and firms to return all community association records in their possession within 20 business days of termination of a services agreement or a written request whichever occurs first, with license suspension and civil penalty risk for willful failure.

- Notice of Termination must be sent certified mail, return receipt requested, or as specified in the contract.
- Failure to turnover records in this timeframe creates a rebuttable presumption of willful failure, which could result in suspension of licenses and a civil penalty of \$1,000 per day, up to 10 business days, assessed beginning on the 21st business day after receipt of request.

[HB 1029: My Safe Florida Condominium Pilot Program](#)

Florida House Bill 1029 was approved by the Governor on April 24, 2024, and will become effective July 1, 2024. HB 1029 has established the My Safe Florida Condominium Pilot Program, which is available to assist eligible condo associations with hurricane mitigation inspections and mitigation grant opportunities. The program is only applicable to condominium associations within 15 miles of coastline and requires the following approval:

- To apply for a free state inspection, the condominium association must receive approval by majority vote of the board of directors or a majority vote of the total voting interests of the
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association.

- To apply for a grant, an association must receive both of the following:
 - Approval by a majority vote of the board of directors or a majority vote of the total voting interests of the association to participate in a mitigation inspection.
 - A unanimous vote of all unit owners within the building that is the subject of the mitigation grant.
- Grant projects are awarded based on project type/cost; however, the maximum total grant award may not exceed \$175,000 per association.

Homeowners Associations

[HB 293: Hurricane Protections for Homeowners' Associations](#)

Florida House Bill 293 was approved by the Governor on May 28, 2024. HB 293, known as Hurricane Protections for Homeowners' Associations (Section 720.3035) requires that homeowners associations adopt hurricane protection specifications for structures and improvements. Specifications must comply with building codes and may include the color and style of hurricane protection products.

- "Hurricane Protection" includes roof systems, storm shutters, roll down track storm shutters, impact resistant windows and doors, polycarbonate panels, reinforced garage doors, erosion controls, fixed generators, and fuel storage tanks.
- Applications for hurricane protection may not be denied when it conforms to specifications adopted by the Association; however, association may require that the owner adhere to existing unified building schemes regarding the external appearance of the structure or improvement on the property.

[HB 1203: Homeowners' Associations](#)

Florida House Bill 1203 was approved by the Governor on May 31, 2024, and will become effective July 1, 2024, unless otherwise noted, and introduces new regulations for *Homeowners Associations* in Florida, including:

Directors and Officer Education Requirements:

- Newly elected or appointed directors, within 90 days, to submit both the written certification that they have read the association's governing documents, will work to uphold the documents to the best of their ability and faithfully discharge their duties, and submit a certificate of completion of
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an approved condominium education course.

- The Board Certification will be valid for 4 years.
- Annually, Directors must complete continuing education classes:
 - If the association has fewer than 2,500 parcels, the director must complete at least four hours of continuing education annually;
 - For associations with 2,500 or more parcels, the director must complete at least eight hours of continuing education annually.

Director or Officer Offenses:

HB 1203 incorporates criminal charges and penalties related to homeowner associations operations and if an officer or director is charged by information or indictment, they must be removed from office for any of the following:

1. Forgery of a ballot envelope or voting certificate used in an election.
2. Theft or embezzlement involving the association's funds or property.
3. Destruction of, or the refusal to allow inspection or copying of an official record of the association, in the furtherance of a crime. Such action will also be considered tampering with evidence.
4. Obstruction of justice.
5. A criminal violation under Chapter 720
6. Fraudulent voting activities, relating to association elections.

Criminal Penalties: Criminal penalties may be imposed for the following actions or inactions:

- Second degree misdemeanor for knowingly, willfully, and repeatedly violating records inspection requests rights, with the intent of causing harm to the association or one of its members.
 - First degree misdemeanor for knowingly and intentionally, defacing or destroying accounting records during the period in which they are required to be maintained or knowingly or intentionally failing to create or maintain accounting records, with the intent of causing harm to the association or one of its members and/or knowingly or intentionally fails to create or maintain records.
 - Third degree felony for willfully and knowingly refusing to release or otherwise produce records with the intent to avoid or escape detection, arrest, trial, or punishment for the commission of a crime, or to assist another person with such avoidance or escape.
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- Third degree felony for an officer, director, or manager of a condominium association to knowingly solicit, offer to accept, or accept a kickback.
 - First degree misdemeanor for fraudulent voting activities relating to association elections including: making false oaths or affirmations in connection with voting activities; perpetrating or aiding in fraud with a vote cast, preventing a member from voting as intended or fraudulently changing a ballot, envelope, vote, or voting certificate; menacing, threatening or using bribery to influence deceive or deter a voting member; giving or promising, directly or indirectly anything of value with the intent to buy a member vote; and threatening violence or using intimidation tactics to induce a vote.

Elections and Voting

- Allows owners to consent to electronic voting in elections by using an electronic means of consent.

Official Record Requirements:

- Effective January 1, 2025, associations with 100 or more parcels must maintain a website with digital copies of specified official records for download on the association's website or through an application on a mobile device.
- Specific Official Records must be maintained for at least seven years, unless the governing documents of the association require a longer period of time.

Enforcement:

- The Association, and its committees, *must reasonably and equitably apply and enforce on all parcel owners the standards authorized in the Declaration and the published standards.* Association must provide written notice to the parcel owner of the rule or covenant relied upon when denying the request for the construction of a structure or other improvement.
 - Association may not prevent a homeowner from installing or displaying vegetable gardens and clotheslines in areas not visible from the frontage or an adjacent parcel, an adjacent common area, or a community golf course, in addition to last year's inclusion of artificial turf, boats, flags, and recreational vehicles.
 - Associations do not have authority to limit restrictions relating to the interior of a structure that is not visible from the frontage of the home, an adjacent parcel, common areas, or golf course.
 - Association may not place limits on the interior of a structure or require review of HVAC, refrigeration, heating, or ventilating system not visible from a parcel's frontage, an adjacent parcel, common area, or community golf course, if a substantially similar system has been
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previously approved.

- If the Association denies an architectural modification for an improvement or the construction of a structure, the Association must specifically state the rule or covenant the Association is relying upon in denying the request and specify the specific part of the modification that does not conform to the rule or covenant.

Fines and Suspensions: Prior to the imposition of a fine or suspensions the following must be met:

- 14-day notice of the parcel owner's right to a hearing to be in writing;
- The review hearing to be held within 90 days of the notice of hearing;
- If violation is corrected before a hearing, no fine or suspension may be imposed;
- The committee may hold the hearing by telephone or other electronic means;
- Written findings related to the violation must be provided within seven days of the hearing, with information relating to fines or suspensions the committee approved or rejected, how the violation may be cured, or reinstate a suspension and/or the date by which the fine must be paid.
- The date by which the fine must be paid must be at least 30 days after delivery of the written notice of the committee's decision; or attorney fees and costs may not be assessed.
- Attorney's fees and costs may not be assessed until after the date for payment and the time for appeal has expired.
- The Association may not fine for garbage cans left out for less than 24 hours before or after collection time or for holiday decorations, unless more than 1 week has passed after written notice regarding such decorations.

Parking:

Homeowners' associations may not prohibit the following:

- A personal vehicle, including a pickup truck, from parking in the property owner (or resident)'s driveway or in any other area where they have a right to park.
 - A work vehicle, which is not a commercial motor vehicle (as defined by Section 320.01(25)), parked in the property owner (or resident)'s driveway (regardless of visible insignia or designation).
 - Assigned first responder vehicle on public roads or rights-of-way within the homeowners' association.
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In addition, the governing documents may not prohibit a property owner from:

- Inviting, hiring, or allowing entry to a contractor or worker on the owner's parcel solely because the contractor or worker is not on a preferred vendor list of the homeowners' association or does not have a professional or occupational license.
- Operating a vehicle in conformance with state traffic laws, on public roads or rights-of-way or the property owner's parcel, unless the vehicle is a commercial motor vehicle.

Fiduciary Duties: Chapter 720 was specifically amended to include a citation to Section 617.0830 relating to fiduciary duties, which provides as follows:

Officers and Directors are specifically subject to Section 617.0830 and have a fiduciary relationship to the members as follows:

(1) A director shall discharge his or her duties as a director, including his or her duties as a member of a committee:

- (a) In good faith;
- (b) With the care an ordinarily prudent person in a like position would exercise under similar circumstances; and
- (c) In a manner he or she reasonably believes to be in the best interests of the corporation.

(2) In discharging his or her duties, a director may rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:

- (a) One or more officers or employees of the corporation whom the director reasonably believes to be reliable and competent in the matters presented;
- (b) Legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the persons' professional or expert competence; or
- (c) A committee of the board of directors of which he or she is not a member if the director reasonably believes the committee merits confidence.

(3) A director is not acting in good faith if he or she has knowledge concerning the matter in question that makes reliance otherwise permitted by subsection (2) unwarranted.

(4) A director is not liable for any action taken as a director, or any failure to take any action if he or she performed the duties of his or her office in compliance with this section.

Additional Updates from HB 1203

- **Assisting Law Enforcement:** If subpoenaed, provide a copy of the requested records within five business days of receiving the subpoena and assist law enforcement in any investigation to the extent permissible by law.
- **Do not Use Debit Cards:** Debit cards may not be used in the name of the Association for the payment of any association expenses. If a person is committing theft and must be removed from office, with a vacancy declared if they use a debit card in the name of the Association, or that is billed to the association for any obligation that has not been properly preapproved by the board and is reflected in the meeting minutes or written budget.
- **Financial Reporting/Accounting Requirements:** Associations with 1,000 or more parcels are required to have audited financial statements, regardless of total annual revenues.
- **Annual Financial Reports:** Associations are also prohibited from reducing the required type of financial statement (compiled, reviewed, or audited financial statements) for consecutive years.
- **Parcel Owner Accountings:** Association parcel owners may submit a written request for a detailed accounting of any amounts owed to the association. If the association fails to provide the accounting within 15 business days of a written request, any outstanding fines of the requester are waived if the fine is more than 30 days past due and the association did not give prior written notice of the fines. It also prohibits parcel owners from requesting another detailed accounting within 90 days of such a request.
- **Interest on Assessments:** compound interest may not accrue on assessments, only simple interest on the assessments may be assessed to delinquencies, regardless of the language in the declaration or bylaws.

HB 59 – Association Rules and Covenants – Section 720.303:

Florida House Bill 59 was approved by the Governor on May 28, 2024, will become effective July 1, 2024, and incorporates the following requirements to Section 720.303 of the Florida Statutes:

- Prior to October 1, 2024, associations will be required to provide a physical or digital copy of the Association's rules and covenants to every member of the Association and to every new member of the Association thereafter.
 - If rules are amended, the Association will need to provide an updated copy of the amended rules. The Association will be permitted to incorporate rules establishing the manner and for distribution and the timeframe for providing copies of updated rules.
 - Distribution may be satisfied by posting a complete copy of the association's rules, or a direct link thereto, on the association's website (if the website is accessible to all members of the association and if the association sends notice to each member of its intent to utilize the website
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for this purpose).

- Notice may be sent by email to members that have consented to electronic transmission or to the mailing address as reflected in the Association's official records.

Community Association Managers (General Applicability):

Management – Professional Practice Standards: Chapter 468: (Found in both HB 1021 and HB 1203):

1. New Requirements for Community Association Managers:

- Annually must attend at least one member meeting or board meeting of the association.
- Must provide community association members with certain information, including the contact person, contact information, and the hours of availability.
- Must provide the community's members upon request a copy of the contract between the association and the CAM or CAM firm.
- Continuing education requirements include biannually completing at least five hours of continuing education that pertains to homeowners' associations, three hours of which must relate to recordkeeping.

2. Transfer of Services:

- a. Manager or Management Firm must return all association official records in its possession to the association within 20 business days after termination or upon receipt of a written request.
- b. Notice of termination to a manager or management firm must be sent by certified mail, return receipt requested, or in the manner specifically provided for in the contract.
- c. Notwithstanding the above, the manager or management firm may retain, for up to 20 business days, records necessary to complete ending financial statements or reports.
- d. Failure to comply could result in a civil penalty.

3. Conflicts (468.4335): provides conflict of interest disclosure requirements and a process for associations to follow when approving contracts with Community Association Managers (CAMs) and Community Association Management firms, or a relative, that may present a conflict of interest and require advance disclosures as follows:

- If the association receives and considers a bid to provide a good or service that exceeds \$2,500, other than community association management services, from a CAM or CAM firm, including
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directors, officers, persons with a financial interest in a CAM firm, or a relative of such persons, the association must also solicit multiple bids from other third-party providers of such good or service.

- The proposed activity that may be a conflict of interest must be listed on, and all contracts and transactional documents related to the proposed activity must be attached to, the board's meeting agenda to consider the proposal and entered into as an attachment to the meeting minutes.
- The board must approve the contracts with a potential conflict of interest, and all management contracts, by an affirmative vote of two-thirds of all directors present.

Conclusion

We realize that these laws can translate to many new comprehensive regulations and requirements for our community association clients. Please do not hesitate to contact us with any questions on how these legislative changes may impact you.

About Our Author:

[Tiffany Love](#) has more than 15 years of experience in real estate and community association law, representing and advising residential and professional community associations across Florida. With a primary concentration on civil litigation, she counsels her clients on matters involving real property, condominium associations, homeowner associations, real estate disputes, foreclosures, insurance disputes, bankruptcy, and collections. She also assists association officers, directors, and property managers with corporate operations, including litigation, mediation, and transactions.

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