

Feedback at select committee meeting key to creating better HOA laws


February 9, 2008

By Donna D. Berger

Today, the Florida House Select Committee on Condominium and Homeowners Association Governance will hold its second meeting in South Florida to re-examine Florida's laws that govern condominiums, cooperatives and homeowners' associations.


Although the committee has publicized that they want to hear from those people who have problems with their condominium and HOA boards, these are public hearings and it is important for everyone living in common-interest-ownership communities to turn out and provide a balanced picture of community association life. In fact, without broad representation of both satisfied and unsatisfied association members, the committee will not receive an accurate representation of how communities operate and what is needed to help boards function at their highest possible level.

Article tools



 [E-mail](#)

[Share](#)

 [Print](#)

 [Reprints](#)

[Post comment](#)

Text size:  

Ads by Google

Condo and HOA Law
Associations and Owners All Areas of Association Law
www.CondoLaws.net

Condo Associations
Attn: Property Managers - Insurance Multi Location/States - 1 policy
www.InsureYourCondoAssociation.com

Florida Condo Lawyers
Becker & Poliakoff represents more condos than any firm in Florida.
www.becker-poliakoff.com

Homeowners Assoc. Website
Creative website design & hosting packed with features & affordable.
www.hoa-sites.com

US Properties list
Reach on-site or absentee owners of SFR houses and multi-units.
www.MelissaData.com

Not surprisingly, several owners voiced a wide range of problems during the first committee hearing held on Jan. 26 in Pembroke Pines. One gentleman complained that his board had passed a special assessment beyond the \$25,000 cap permitted under the documents. He didn't know the nature of the special assessment and didn't look at the governing documents to determine if such a cap even exists and whether it applies only to capital improvements or to general maintenance and repairs. Without that information, it was impossible to verify whether or not the board in this instance did anything wrong.

Another owner addressed the committee complaining that every contractor being used by associations in the state of Florida is a "mafia" contractor. While some people undoubtedly had serious problems, others appear to have been uninformed about the contents of their association documents or simply needed help beyond the scope of this committee.

The Community Advocacy Network is a not-for-profit organization that speaks on behalf of more than 1,000 common-interest-ownership communities throughout the state. CAN's goal is to ensure that every single member in these associations becomes aware of the

issues confronting his or her community and has the opportunity to take part in the political processes that can impact association lifestyles and real property values.

We are urging all association members (those who serve on the boards, those who are happy with their boards, as well as those who are unhappy with their current association administration) to take some time out of their busy lives to attend these public hearings and to give their input. It is important to remember that the ultimate function of this committee is to make recommendations for changes to the laws governing these private residential communities.

Edmund Burke once wrote, "Bad laws are the worst sort of tyranny." It is important to ensure that the committee's legislative recommendations make serving on the board something every owner will want to do at some point. In this way, fresh ideas and fresh faces should help these communities thrive.

While it is not known how many, if any, of the select committee members have ever lived in a community association or have volunteered to serve on an association board, we certainly hope that each member approaches this task with an open mind, be able to pick out the serious issues from the far-fetched and employ both sensitivity and common sense throughout the process.

Please try to make it to today's meeting. CAN will have representatives there to give input and keep an eye on the process.

WHAT YOU CAN DO

Go to the Select Committee on Condominium and Homeowners Association Governance meeting

When: Today, 10 a.m. to 6 p.m.

Where: Nautilus Middle School, 4301 N. Michigan Ave., Miami Beach