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LEGISLATIVE ACTION

Senate

House

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Floor: 4/AD/2R

04/24/2013 11:49 AM

Senator Hays moved the following:

Senate Amendment

Delete lines 430 - 448

and insert:

(5) It is declared that the public policy of this state is that prior to the transition of homeowners' association control in a community from the developer to the nondeveloper members, as set forth in s. 720.307, the right of developers to amend governing documents is subject to a test of reasonableness, which prohibits the developer from unilaterally amending the governing documents in a manner that is arbitrary, capricious, or in bad faith, that destroys the general plan of development, that prejudices the rights of existing nondeveloper members to



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14 use and enjoy the benefits of common property, or that
15 materially shifts economic burdens from the developer to the
16 existing nondeveloper members.