37-143-03

A bill to be entitled 1 2 An act relating to fire safety standards; amending s. 633.025, F.S.; authorizing local 3 4 government entities to exempt certain 5 residential high-rise buildings from specified fire safety standards; amending s. 689.26, 6 7 F.S.; requiring sellers of condominiums to disclose the status of the buildings' 8 9 compliance with specific provisions of the 10 Florida Fire Protection Code; providing an effective date. 11 12 13 Be It Enacted by the Legislature of the State of Florida: 14 Section 1. Subsection (10) is added to section 15 16 633.025, Florida Statutes, to read: 633.025 Minimum firesafety standards.--17 (10) A municipality, county, or special district with 18 19 firesafety responsibilities may adopt a local amendment to the 20 Florida Fire Prevention Code to exempt residential high-rise 21 buildings constructed before January 1, 2002, from the 22 requirement that such buildings be protected throughout by an 23 approved, supervised automatic sprinkler system or an 24 engineered life safety system approved by the fire official. 25 (a) However, residential high-rise buildings must 26 comply with that requirement when they are substantially 27 improved. Upon resale of such buildings or units within such 28 buildings, sellers must disclose to buyers that the building 29 does not comply with standards for an approved, supervised 30 automatic sprinkler system or an engineered life safety 31 system.

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1	(b) The term, "substantially improved" means any
2	repair, reconstruction, rehabilitation, or improvement of a
3	structure when if the actual cost of the improvement or repair
4	equals or exceeds, over a 5-year period, a cumulative total of
5	50 percent of the market value of the structure:
6	1. Before the improvement or repair is started; or
7	2. If the structure has been damaged and is being
8	restored, before the damage occurred.
9	Section 2. Section 689.26, Florida Statutes, is
10	amended to read:
11	689.26 Prospective purchasers subject to association
12	membership requirement; disclosure required; disclosure of
13	compliance of condominium buildings with certain fire safety
14	standards
15	(1) A prospective parcel owner in a community must be
16	presented a disclosure summary before executing the contract
17	for sale. The disclosure summary must be in a form
18	substantially similar to the following form:
19	
20	DISCLOSURE SUMMARY
21	FOR
22	(NAME OF COMMUNITY)
23	
24	1. AS A PURCHASER OF PROPERTY IN THIS COMMUNITY, YOU
25	WILL BE OBLIGATED TO BE A MEMBER OF A HOMEOWNERS' ASSOCIATION.
26	2. THERE HAVE BEEN OR WILL BE RECORDED RESTRICTIVE
27	COVENANTS GOVERNING THE USE AND OCCUPANCY OF PROPERTIES IN
28	THIS COMMUNITY.
29	3. YOU WILL BE OBLIGATED TO PAY ASSESSMENTS TO THE
3 U	ACCOCTATION WHICH ACCECMENTS ADE CHIDIECT TO DEDIODIC CHANCE

- 4. YOUR FAILURE TO PAY THESE ASSESSMENTS COULD RESULT IN A LIEN ON YOUR PROPERTY.
- 5. THERE (IS) (IS NOT) AN OBLIGATION TO PAY RENT OR LAND USE FEES FOR RECREATIONAL OR OTHER COMMONLY USED FACILITIES AS AN OBLIGATION OF MEMBERSHIP IN THE HOMEOWNERS' ASSOCIATION. (If such obligation exists, then the amount of the current obligation shall be set forth.)
- 6. THE RESTRICTIVE COVENANTS (CAN) (CANNOT) BE AMENDED WITHOUT THE APPROVAL OF THE ASSOCIATION MEMBERSHIP.
- 7. THE STATEMENTS CONTAINED IN THIS DISCLOSURE FORM ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE PURCHASER, YOU SHOULD REFER TO THE COVENANTS AND THE ASSOCIATION GOVERNING DOCUMENTS.
- 8. THESE DOCUMENTS ARE MATTERS OF PUBLIC RECORD AND CAN BE OBTAINED FROM THE RECORD OFFICE IN THE COUNTY WHERE THE PROPERTY IS LOCATED.

DATE: PURCHASER:

18 PURCHASER:

The disclosure must be supplied by the developer, or by the parcel owner if the sale is by an owner that is not the developer. Any contract or agreement for sale shall refer to and incorporate the disclosure summary and shall include, in prominent language, a statement that the potential buyer should not execute the contract or agreement until they have received and read the disclosure summary required by this section.

(2) This section does not apply to any association regulated under chapter 718, chapter 719, chapter 721, or chapter 723 or to a subdivider registered under chapter 498; and also does not apply if disclosure regarding the

association is otherwise made in connection with the requirements of chapter 718, chapter 719, chapter 721, or chapter 723. (3) Upon resale of condominiums or units within such condominiums, sellers must disclose to the buyers whether or not the building complies with standards for an approved, supervised automatic sprinkler system or an engineered life safety system, as required for new construction in the Florida Fire Prevention Code. Section 3. This act shall take effect July 1, 2003. ********** SENATE SUMMARY Permits certain local government entities to exempt certain residential high-rise buildings from fire safety requirements pertaining to automatic sprinkler systems or engineered life safety systems. Required sellers of condominiums to disclose the status of such buildings' compliance with such standards.