

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Robaina offered the following:

2
3 **Substitute Amendment for Amendment (143449) (with title**
4 **amendment)**

5 Between lines 69 and 70, insert:

6 Section 1. Paragraph (b) of subsection (2) of section
7 468.436, Florida Statutes, is amended, and subsection (6) is
8 added to that section, to read:

9 468.436 Disciplinary proceedings.--

10 (2) The following acts constitute grounds for which the
11 disciplinary actions in subsection (4) may be taken:

12 (b)1. Violation of any provision of this part.

13 2. Violation of any lawful order or rule rendered or
14 adopted by the department or the council.

15 3. Being convicted of or pleading nolo contendere to a
16 felony in any court in the United States.

759373

Approved For Filing: 4/21/2009 3:57:29 PM

Amendment No.

17 4. Obtaining a license or certification or any other
18 order, ruling, or authorization by means of fraud,
19 misrepresentation, or concealment of material facts.

20 5. Committing acts of ~~gross~~ misconduct or ~~gross~~ negligence
21 in connection with the profession.

22 6. Contracting, on behalf of an association, with any
23 entity in which the licensee has a financial interest that is
24 not disclosed.

25 (6) Upon the fifth or later finding that a community
26 association manager is guilty of any of the grounds set forth in
27 subsection (2), or upon the third or later finding that a
28 community association manager is guilty of a specific ground for
29 which the disciplinary actions set forth in subsection (2) may
30 be taken, the department's discretion under subsection (4) shall
31 not apply and the division shall enter an order permanently
32 revoking the license.

33
34 -----
35 **T I T L E A M E N D M E N T**

36 Remove line 2 and insert:

37 An act relating to residential properties; amending s. 468.436,
38 F.S.; revising a ground for disciplinary action relating to
39 misconduct or negligence; requiring the Department of Business
40 and Professional Regulation to enter an order permanently
41 revoking certain community association manager licenses;
42 amending s.

759373

Approved For Filing: 4/21/2009 3:57:29 PM