

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Rogers offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Between lines 872 and 873, insert:

5 (a) Administration.—

6 1. The form of administration of the association shall be
7 described indicating the title of the officers and board of
8 administration and specifying the powers, duties, manner of
9 selection and removal, and compensation, if any, of officers and
10 boards. In the absence of such a provision, the board of
11 administration shall be composed of five members, except in the
12 case of a condominium which has five or fewer units, in which
13 case in a not-for-profit corporation the board shall consist of
14 not fewer than three members. In the absence of provisions to
15 the contrary in the bylaws, the board of administration shall
16 have a president, a secretary, and a treasurer, who shall

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17 perform the duties of such officers customarily performed by
18 officers of corporations. Unless required by the governing
19 documents of the association to meet more frequently, the board
20 of administration shall meet quarterly. A majority of the
21 members of the board must be owners of condominium units that
22 qualify as homestead property. Unless prohibited in the bylaws,
23 the board of administration may appoint other officers and grant
24 them the duties it deems appropriate. Unless otherwise provided
25 in the bylaws, the officers shall serve without compensation and
26 at the pleasure of the board of administration. Unless otherwise
27 provided in the bylaws, the members of the board shall serve
28 without compensation.

29 2. When a unit owner files a written inquiry by certified
30 mail with the board of administration, the board shall respond
31 in writing to the unit owner within 30 days of receipt of the
32 inquiry. The board's response shall either give a substantive
33 response to the inquirer, notify the inquirer that a legal
34 opinion has been requested, or notify the inquirer that advice
35 has been requested from the division. If the board requests
36 advice from the division, the board shall, within 10 days of its
37 receipt of the advice, provide in writing a substantive response
38 to the inquirer. If a legal opinion is requested, the board
39 shall, within 60 days after the receipt of the inquiry, provide
40 in writing a substantive response to the inquiry. The failure to
41 provide a substantive response to the inquiry as provided herein
42 precludes the board from recovering attorney's fees and costs in
43 any subsequent litigation, administrative proceeding, or
44 arbitration arising out of the inquiry. The association may

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45 through its board of administration adopt reasonable rules and
46 regulations regarding the frequency and manner of responding to
47 unit owner inquiries, one of which may be that the association
48 is only obligated to respond to one written inquiry per unit in
49 any given 30-day period. In such a case, any additional inquiry
50 or inquiries must be responded to in the subsequent 30-day
51 period, or periods, as applicable.

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55 **D I R E C T O R Y A M E N D M E N T**

56 Remove line 867 and insert:

57 Section 10. Paragraphs (a), (d), (l), (n), and (o) of
58 subsection

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61 -----
62 **T I T L E A M E N D M E N T**

63 Remove line 71 and insert:

64 718.112, F.S.; providing requirements for board of
65 administration meetings and membership; revising provisions
66 relating to the