

1 A bill to be entitled
 2 An act relating to condominiums; amending s. 718.116,
 3 F.S.; providing requirements for a notice of delinquency;
 4 prohibiting a condominium association from imposing
 5 certain penalties for delinquency during a notice period
 6 or while an objection made within such notice period and
 7 accompanied by proof of payment of certain assessments or
 8 charges is unresolved; providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Subsection (11) is added to section 718.116,
 13 Florida Statutes, to read:

14 718.116 Assessments; liability; lien and priority;
 15 interest; collection.—

16 (11) (a) A notice of delinquency sent to a unit owner shall
 17 provide an overall total of assessments claimed and shall
 18 specify each assessment or charge that is claimed by the
 19 association, listing for each assessment or charge the date of
 20 the assessment or charge, the principal balance owed for the
 21 assessment or charge, and affiliated late fees or collection
 22 charges.

23 (b) As to any statute or any provision in the governing
 24 documents that creates a restriction or condition upon a unit
 25 owner related to delinquency in the payment of moneys owed to
 26 the association, no such restriction or condition shall be in
 27 effect until 20 days after receipt of the delinquency notice by
 28 the unit owner. If the unit owner objects to the amount claimed

CS/HB 337

2010

29 within the 20-day period and provides proof of payment of the
30 assessments or charges specified in the notice provided in
31 paragraph (a), no restriction or condition shall be enforced
32 until the objection is resolved. For purposes of this paragraph,
33 a "restriction or condition" includes any restriction on running
34 for office, holding office, serving on a committee, leasing the
35 unit, or using common areas.

36 Section 2. This act shall take effect January 1, 2011.