

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Robaina offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 2944 and 2945, insert:

5 Section 29. Subsection (10) is added to section 20.165,  
6 Florida Statutes, to read:

7 20.165 Department of Business and Professional  
8 Regulation.—There is created a Department of Business and  
9 Professional Regulation.

10 (10) All employees authorized by the Division of Florida  
11 Condominiums, Timeshares, and Mobile Homes shall have access to  
12 and shall have the right to examine and inspect the premises,  
13 books, and records of any condominium, cooperative, timeshare,  
14 or mobile home park regulated by the division. Such employees  
15 shall also have access to and shall have the right to examine  
16 and inspect the books and records of any community association

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17 manager or firm employed by any condominium, cooperative,  
18 timeshare, or mobile home park regulated by the division.

19 Section 30. Paragraph (b) of subsection (2) of section  
20 468.436, Florida Statutes, is amended, and subsection (6) is  
21 added to that section, to read:

22 468.436 Disciplinary proceedings.—

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

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

26 2. Violation of any lawful order or rule rendered or  
27 adopted by the department or the council.

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

30 4. Obtaining a license or certification or any other  
31 order, ruling, or authorization by means of fraud,  
32 misrepresentation, or concealment of material facts.

33 5. Committing acts of ~~gross~~ misconduct or ~~gross~~ negligence  
34 in connection with the profession.

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

38 (6) Upon the fifth or later finding that a community  
39 association manager is guilty of any of the grounds set forth in  
40 subsection (2), or upon the third or later finding that a  
41 community association manager is guilty of a specific ground for  
42 which the disciplinary actions set forth in subsection (2) may  
43 be taken, the department's discretion under subsection (4) shall

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44 not apply and the division shall enter an order permanently  
45 revoking the license.

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**T I T L E   A M E N D M E N T**

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Remove line 218 and insert:

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the developer unless certain conditions are met; amending s.

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20.165, F.S.; providing certain inspection powers for employees

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of the Division of Florida Condominiums, Timeshares, and Mobile

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Homes; amending s. 468.436, F.S.; revising a ground for

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disciplinary action relating to misconduct or negligence;

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requiring the Department of Business and Professional Regulation

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to enter an order permanently revoking the license of a

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community association manager under certain circumstances;

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providing