

By Senator Justice

16-01002-10

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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
4 delinquency; prohibiting a condominium association
5 from imposing certain penalties for delinquency during
6 a notice period or while an objection made within such
7 notice period is unresolved; providing an effective
8 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
29 within the 20-day period, no restriction or condition shall be

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30 enforced until the objection is resolved. For purposes of this
31 paragraph, a "restriction or condition" includes any restriction
32 on running for office, holding office, serving on a committee,
33 leasing the unit, or using common areas.

34 Section 2. This act shall take effect July 1, 2010.