

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative Moraitis offered the following:

Amendment

Remove lines 30-60 and insert:

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 4
 5
 6 abandoned unit to: inspect the unit and appurtenant common
 7 elements; make repairs to the unit or to the common elements
 8 servicing the unit, as needed; repair the unit if mold or
 9 deterioration is present; turn on the power for the unit; or
 10 otherwise maintain, preserve, or protect the unit and adjoining
 11 common elements. For purposes of this paragraph, a unit is
 12 presumed to be abandoned if:

13 a. The unit is the subject of a foreclosure action and no
 14 tenant appears to have resided in the unit for at least 4
 15 continuous weeks without written notice to the association; or

16 b. No tenant appears to have resided in the unit for 2
 17 consecutive months without written notice to the association,
 18 and the association is unable to contact the owner or determine
 19 the whereabouts of the owner after reasonable inquiry.

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20 2. Except in the case of an emergency, an association may
21 not enter an abandoned unit until 48 hours after notice of the
22 association's intent to enter the unit has been sent to the
23 owner at the address of the owner as reflected in the records of
24 the association.

25 3. Any expense incurred by an association pursuant to this
26 paragraph is chargeable to the unit owner and enforceable as an
27 assessment pursuant to s. 718.116, and the association may use
28 its lien authority provided by s. 718.116 to enforce collection
29 of the expense.

30 4. The association may petition a court of competent
31 jurisdiction for the appointment of a receiver and may rent an
32 abandoned unit for the benefit of the association to offset the
33 association's costs and expenses of maintaining, preserving, and
34 protecting the unit and the appurtenant common elements,
35 including the costs of the receivership and all unpaid
36 assessments, interest, late fees, and attorney fees
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