



787056

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/03/2014	.	
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The Committee on Judiciary (Ring) recommended the following:

1           **Senate Amendment to Amendment (715464) (with title**  
2 **amendment)**

3  
4           Between lines 579 and 580  
5 insert:

6           Section 10. Paragraph (a) of subsection (1) of section  
7 718.116, Florida Statutes, is amended to read:

8           718.116 Assessments; liability; lien and priority;  
9 interest; collection.—

10           (1) (a) A unit owner, regardless of how his or her title has  
11 been acquired, including by purchase at a foreclosure sale or by



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12 deed in lieu of foreclosure, is liable for all assessments which  
13 come due while he or she is the unit owner. Additionally, a unit  
14 owner is jointly and severally liable with the previous owner  
15 for all unpaid assessments that came due up to the time of  
16 transfer of title, as well as interest, late charges, and  
17 reasonable costs and attorney fees incurred by the association  
18 incident to the collection process, except that in the case of a  
19 foreclosure sale, the interest, late charges, and reasonable  
20 attorney fees and costs may not exceed 10 percent of the winning  
21 bid amount. This liability is without prejudice to any right the  
22 owner may have to recover from the previous owner the amounts  
23 paid by the owner. For the purposes of this paragraph, the term  
24 "previous owner" does not include an association that acquires  
25 title to a delinquent property through foreclosure or by deed in  
26 lieu of foreclosure. The present parcel owner's liability for  
27 unpaid assessments, interest, late charges, and reasonable costs  
28 and attorney fees incurred by the association incident to the  
29 collection process is limited to those amounts that accrued  
30 before the association acquired title to the delinquent property  
31 through foreclosure or by deed in lieu of foreclosure. This  
32 paragraph does not affect the liability of a first mortgagee or  
33 its successor or assignees as provided in paragraph (b).

34  
35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete line 1224

38 and insert:

39 the board from voting via e-mail; amending s. 718.116,  
40 F.S.; providing that a unit owner is jointly and



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41 severally liable with the previous owner for certain  
42 costs; providing an exception; defining the term  
43 "previous owner"; limiting costs and fees incurred by  
44 the association incident to the collection process to  
45 those incurred before the association acquired title;  
46 repealing s.