

26 contractor; providing marketing and communications
 27 guidelines for use by program administrators and
 28 contractors; prohibiting contractors from taking
 29 certain actions related to pricing of qualifying
 30 improvements; prohibiting program administrators from
 31 certain actions in exchange for referring assessment
 32 financing business to contractors; requiring program
 33 administrators to appropriately develop and implement
 34 procedures to handle complaints and monitor
 35 contractors; specifying information that dependent
 36 special districts or certain legal entities must
 37 provide in their annual audit reports related to the
 38 REEF program; providing program requirements for
 39 government leased properties; providing an effective
 40 date.

41
 42 Be It Enacted by the Legislature of the State of Florida:

43
 44 Section 1. Subsections (1), (2), (4), (6) through (10),
 45 and (12) through (14) of section 163.08, Florida Statutes, are
 46 amended, and subsection (18) is added to that section, to read:
 47 163.08 ~~Supplemental~~ Authority for qualifying improvements
 48 to real property.—

49 (1)(a) In chapter 2008-227, Laws of Florida, the
 50 Legislature amended the energy goal of the state comprehensive

51 | plan to provide, in part, that the state shall reduce its energy
52 | requirements through enhanced conservation and efficiency
53 | measures in all end-use sectors and reduce atmospheric carbon
54 | dioxide by promoting an increased use of renewable energy
55 | resources. That act also declared it the public policy of the
56 | state to play a leading role in developing and instituting
57 | energy management programs that promote energy conservation,
58 | energy security, and the reduction of greenhouse gases. In
59 | addition to establishing policies to promote the use of
60 | renewable energy, the Legislature provided for a schedule of
61 | increases in energy performance of buildings subject to the
62 | Florida Energy Efficiency Code for Building Construction. In
63 | chapter 2008-191, Laws of Florida, the Legislature adopted new
64 | energy conservation and greenhouse gas reduction comprehensive
65 | planning requirements for local governments. In the 2008 general
66 | election, the voters of this state approved a constitutional
67 | amendment authorizing the Legislature, by general law, to
68 | prohibit consideration of any change or improvement made for the
69 | purpose of improving a property's resistance to wind damage or
70 | the installation of a renewable energy source device in the
71 | determination of the assessed value of residential real
72 | property.

73 | (b) The Legislature finds that all energy-consuming-
74 | improved properties that are not using energy conservation
75 | strategies contribute to the burden affecting all improved

76 property resulting from fossil fuel energy production. Improved
77 property that has been retrofitted with energy-related
78 qualifying improvements receives the special benefit of
79 alleviating the property's burden from energy consumption. All
80 improved properties not protected from wind damage by wind
81 resistance qualifying improvements contribute to the burden
82 affecting all improved property resulting from potential wind
83 damage. Improved property that has been retrofitted with wind
84 resistance qualifying improvements receives the special benefit
85 of reducing the property's burden from potential wind damage.
86 Further, the installation and operation of qualifying
87 improvements not only benefit the affected properties for which
88 the improvements are made, but also assist in fulfilling the
89 goals of the state's energy and hurricane mitigation policies.

90 (c) In order to make qualifying improvements more
91 affordable and to assist property owners who wish to undertake
92 such improvements, the Legislature finds that there is a
93 compelling state interest in enabling property owners to
94 voluntarily finance such improvements under the REEF program
95 ~~with local government assistance.~~

96 (d)-(e) The Legislature determines that the actions
97 authorized under this section, including, but not limited to,
98 the financing of qualifying improvements through the execution
99 of assessment financing agreements and the related imposition of
100 voluntary assessments are reasonable and necessary to serve and

101 achieve a compelling state interest and are necessary for the
 102 prosperity and welfare of the state and its property owners and
 103 inhabitants.

104 (2) As used in this section and s. 163.081, the term:

105 (a) "Assessment financing agreement" means the financing
 106 agreement, under a REEF program, between a local government and
 107 a property owner for the acquisition or installation of
 108 qualifying improvements.

109 (b) "Contractor" means an independent contractor who
 110 contracts with a property owner to install qualifying
 111 improvements on real property but who is not the owner of such
 112 property.

113 (c) "Government leased property" means real property owned
 114 by a local government that is subject to taxation due to the
 115 lease of the property to a nongovernmental lessee.

116 (d) ~~(a)~~ "Local government" means a county, a municipality,
 117 a dependent special district as defined in s. 189.012, or a
 118 separate legal entity created pursuant to s. 163.01(7).

119 (e) "Non-ad valorem assessment" has the same meaning as in
 120 s. 197.3632(1).

121 (f) "Nongovernmental lessee" means a person or an entity
 122 other than a local government which leases government real
 123 property.

124 (g) "Nonresidential real property" means property not
 125 defined as residential real property that will be or has been

126 improved by a qualifying improvement, including, but not limited
 127 to, the following:

- 128 1. Agricultural property.
- 129 2. Commercial real property.
- 130 3. Government leased property.
- 131 4. Industrial building or property.
- 132 5. Multifamily residential property composed of five or
 133 more dwelling units.

134 (h) "Program administrator" means an entity, including,
 135 but not limited to, a for-profit or not-for-profit entity, with
 136 whom a local government may contract to administer a REEF
 137 program.

138 (i)-~~(b)~~ "Qualifying improvement" includes any:

- 139 1. Energy conservation and efficiency improvement, which
 140 is a measure to reduce consumption through conservation or a
 141 more efficient use of electricity, natural gas, propane, or
 142 other forms of energy on the property, including, but not
 143 limited to, air sealing; installation of insulation;
 144 installation of energy-efficient heating, cooling, or
 145 ventilation systems; building modifications to increase the use
 146 of daylight; replacement of windows; installation of energy
 147 controls or energy recovery systems; installation of electric
 148 vehicle charging equipment; and installation of efficient
 149 lighting equipment.
- 150 2. Renewable energy improvement, which is the installation

151 of any system in which the electrical, mechanical, or thermal
152 energy is produced from a method that uses one or more of the
153 following fuels or energy sources: hydrogen, solar energy,
154 geothermal energy, bioenergy, and wind energy.

155 3. Wind resistance improvement, which includes, but is not
156 limited to:

- 157 a. Improving the strength of the roof deck attachment;
158 b. Creating a secondary water barrier to prevent water
159 intrusion;
160 c. Installing wind-resistant shingles;
161 d. Installing gable-end bracing;
162 e. Reinforcing roof-to-wall connections;
163 f. Installing storm shutters; or
164 g. Installing opening protections.

165 (j) "Residential real property" means a residential
166 property of four or fewer dwelling units that will be or has
167 been improved by a qualifying improvement.

168 (k) "Resiliency Energy Environment Florida program" or
169 "REEF program" means a program established under this section or
170 s. 163.081 by a local government, alone or in partnership with
171 other local governments or a program administrator, to finance
172 qualifying improvements on nonresidential real property or
173 residential real property.

174 (4) Subject to local government ordinance or resolution, a
175 property owner may apply to the REEF program ~~the local~~

176 ~~government~~ for funding to finance a qualifying improvement and
 177 enter into an assessment ~~a~~ financing agreement with the local
 178 government. Costs incurred by the REEF program ~~the local~~
 179 ~~government~~ for such purpose may be collected as a non-ad valorem
 180 assessment. A non-ad valorem assessment shall be collected
 181 pursuant to s. 197.3632 and, notwithstanding s. 197.3632(8)(a),
 182 is ~~shall~~ not ~~be~~ subject to discount for early payment. However,
 183 the notice and adoption requirements of s. 197.3632(4) do not
 184 apply if this section is used and complied with, and the intent
 185 resolution, publication of notice, and mailed notices to the
 186 property appraiser, tax collector, and Department of Revenue
 187 required by s. 197.3632(3)(a) may be provided on or before
 188 August 15 in conjunction with any non-ad valorem assessment
 189 authorized by this section, if the property appraiser, tax
 190 collector, and local government agree.

191 (6) A local government may enter into an agreement with a
 192 program administrator to administer the REEF program A
 193 ~~qualifying improvement program may be administered by a for-~~
 194 ~~profit entity or a not-for-profit organization on behalf of and~~
 195 ~~at the discretion of the local government.~~

196 (7) A local government may incur debt for the purpose of
 197 providing financing for the ~~such~~ improvements, which debt is
 198 payable from revenues received from the improved properties
 199 ~~property~~, or any other available revenue source authorized under
 200 this section or by law.

201 (8) A local government may enter into an assessment a
 202 financing agreement to finance or refinance a qualifying
 203 improvement only with the record owner of the affected property.
 204 Any assessment financing agreement entered into pursuant to this
 205 section or a summary memorandum of such agreement must ~~shall~~ be
 206 submitted for recording ~~recorded~~ in the public records of the
 207 county within which the property is located by the ~~sponsoring~~
 208 ~~unit of~~ local government within 5 days after execution of the
 209 agreement. The recorded agreement shall provide constructive
 210 notice that the assessment to be levied on the property
 211 constitutes a lien of equal dignity to county taxes and
 212 assessments from the date of recordation. A notice of lien for
 213 the full amount of the financing may be recorded in the public
 214 records of the county in which the property is located. Such
 215 lien is not enforceable in a manner that results in the
 216 acceleration of the remaining nondelinquent unpaid balance under
 217 the assessment financing agreement.

218 (9) Before entering into an assessment a financing
 219 agreement, the local government or the program administrator, as
 220 applicable, must ~~shall~~ reasonably determine that:

221 (a) All property taxes and any other assessments levied on
 222 the same bill as property taxes are current ~~paid~~ and have not
 223 been delinquent for more than 30 days for the preceding 3 years
 224 or the property owner's period of ownership, whichever is less;

225 (b) ~~that~~ There are no involuntary liens greater than

226 | \$1,000, including, but not limited to, construction liens on the
 227 | property;

228 | (c) ~~that~~ No notices of default or other evidence of
 229 | property-based debt delinquency have been recorded and not
 230 | released during the preceding 3 years or the property owner's
 231 | period of ownership, whichever is less;

232 | (d) The property owner has been asked whether any other
 233 | assessments under this section have been recorded or have been
 234 | funded and not yet recorded on the property. The failure of a
 235 | property owner to disclose information set forth in this
 236 | paragraph does not invalidate an assessment financing agreement
 237 | or any obligation thereunder, even if the total financed amount
 238 | of the qualifying improvements exceeds the amount that would
 239 | otherwise be authorized under paragraph (12)(a); and

240 | (e) ~~that~~ The property owner is current on all mortgage
 241 | debt on the property; and

242 | (f) The residential real property is not subject to an
 243 | existing home equity conversion mortgage or reverse mortgage
 244 | product or is not a residential real property gifted to a
 245 | homeowner for free by a not-for-profit entity. This paragraph
 246 | does not apply to nonresidential real properties.

247 | (10) Before final funding may be provided, a qualifying
 248 | improvement must ~~shall~~ be affixed, or be planned to be affixed,
 249 | to a nonresidential or residential real building or facility
 250 | ~~that is part of the property and~~ constitutes ~~shall constitute~~ an

251 improvement to that property ~~the building or facility or a~~
252 ~~fixture attached to the building or facility.~~ An assessment
253 financing agreement ~~between a local government and a qualifying~~
254 ~~property owner~~ may ~~not~~ cover qualifying ~~wind-resistance~~
255 improvements on new nonresidential or new residential real
256 properties in buildings or facilities under new construction ~~or~~
257 ~~construction for which a certificate of occupancy or similar~~
258 ~~evidence of substantial completion of new construction or~~
259 ~~improvement has not been issued.~~

260 (12) (a) Without the consent of the holders or loan
261 servicers of any mortgage encumbering or otherwise secured by
262 the property, the total amount of any non-ad valorem assessment
263 for a property under this section may not exceed 20 percent of
264 the fair market value ~~just value~~ of the real property ~~as~~
265 ~~determined by the county property appraiser.~~ The combined
266 mortgage-related debt and total amount of any non-ad valorem
267 assessments funded under this section for residential real
268 property may not exceed 100 percent of the fair market value of
269 the residential real property. The failure of a property owner
270 to disclose information set forth in paragraph (9) (d) does not
271 invalidate an assessment financing agreement or any obligation
272 thereunder even if the total financed amount of the qualifying
273 improvements exceeds the amount that would otherwise be
274 authorized under this paragraph.

275 (b) Notwithstanding paragraph (a), a non-ad valorem

276 assessment for a qualifying improvement defined in subparagraph
277 (2)(i)1. ~~(2)(b)1.~~ or subparagraph (2)(i)2. ~~(2)(b)2.~~ that is
278 supported by an energy audit is not subject to the limits in
279 this subsection if the audit demonstrates that the annual energy
280 savings from the qualified improvement equals or exceeds the
281 annual repayment amount of the non-ad valorem assessment.

282 (13) At least 30 days before entering into an assessment a
283 financing agreement, the property owner shall provide to the
284 holders or loan servicers of any existing mortgages encumbering
285 or otherwise secured by the property a notice of the owner's
286 intent to enter into an assessment a financing agreement
287 together with the maximum principal amount to be financed and
288 the maximum annual assessment necessary to repay that amount. A
289 verified copy or other proof of such notice shall be provided to
290 the local government or program administrator. A provision in
291 any agreement between a mortgagee or other lienholder and a
292 property owner, or otherwise now or hereafter binding upon a
293 property owner, which allows for acceleration of payment of the
294 mortgage, note, or lien or other unilateral modification solely
295 as a result of entering into an assessment a financing agreement
296 as provided for in this section is not enforceable. This
297 subsection does not limit the authority of the holder or loan
298 servicer to increase the required monthly escrow by an amount
299 necessary to ~~annually~~ pay the annual ~~qualifying improvement~~
300 assessment.

301 (14) At or before the time a seller ~~purchaser~~ executes a
 302 contract for the sale ~~and purchase~~ of any property for which a
 303 non-ad valorem assessment has been levied under this section and
 304 has an unpaid balance due, the seller must ~~shall~~ give the
 305 prospective purchaser a written disclosure statement in the
 306 following form, which shall be set forth in the contract or in a
 307 separate writing:

308
 309 QUALIFYING IMPROVEMENTS FOR ENERGY EFFICIENCY, RENEWABLE ENERGY,
 310 OR WIND RESISTANCE.—The property being purchased is located
 311 within the jurisdiction of a local government that has placed an
 312 assessment on the property pursuant to s. 163.08, Florida
 313 Statutes. The assessment is for a qualifying improvement to the
 314 property relating to energy efficiency, renewable energy, or
 315 wind resistance, and is not based on the value of property. You
 316 are encouraged to contact the county property appraiser's office
 317 to learn more about this and other assessments that may be
 318 provided by law.

319
 320 (18) Notwithstanding any provision of this section or s.
 321 163.081 to the contrary, the following applies to government
 322 leased property:

- 323 (a) The assessment financing agreement must be executed
 324 by:
 325 1. The local government and the nongovernmental lessee; or

326 2. Only the nongovernmental lessee but with the written
327 consent of the local government. Evidence of consent shall be
328 provided to the program administrator or REEF program.

329 (b) The assessment financing agreement must provide that
330 the nongovernmental lessee is the only party obligated to pay
331 the assessment.

332 (c) A delinquent assessment shall be enforced in the
333 manner provided in ss. 196.199(8) and 197.432(10).

334 (d) The recorded assessment financing agreement or a
335 summary memorandum of such recorded agreement must provide
336 constructive notice that the assessment to be levied on the
337 property is subject to enforcement in the manner provided in ss.
338 196.199(8) and 197.432(10).

339 (e) For purposes of subsections (9) and (13) only,
340 references to the property owner are deemed to refer to the
341 nongovernmental lessee and references to the period of ownership
342 are deemed to refer to the period during which the
343 nongovernmental lessee leased the property from the local
344 government.

345 (f) The term of the assessment financing agreement on
346 government leased property may not exceed:

347 1. Thirty years;

348 2. The remaining term of the lease on the government
349 leased property; or

350 3. The weighted average estimated useful life of all

351 qualifying improvements being financed or the estimated useful
352 life of the qualifying improvements to which the greatest
353 portion of funds are disbursed.

354 Section 2. Section 163.081, Florida Statutes, is created
355 to read:

356 163.081 Additional requirements for program administrators
357 for qualifying improvements on residential real property.—

358 (1)(a) In addition to the requirements in s. 163.08, a
359 program administrator must comply with this section when
360 administering a REEF program for qualifying improvements on
361 residential real property.

362 (b) This section does not apply to residential real
363 property:

364 1. Residential real property owned by a local government.

365 2. To residential real property if the program
366 administrator reasonably determines that:

367 a. The residential real property is owned by a business
368 entity that owns more than four residential real properties; and

369 b. The business entity's managing member, partner, or
370 beneficial owner does not reside in the residential real
371 property.

372 (2) Before final approval of the assessment financing
373 agreement for a qualifying improvement on a residential real
374 property, the program administrator must reasonably determine
375 that the property owner has the ability to pay the estimated

376 annual assessment. To do so, the program administrator must, at
377 a minimum, use the underwriting requirements in s. 163.08(9) to
378 confirm that the property owner is not in bankruptcy and to
379 determine that the total estimated annual payment amount for all
380 assessment financing agreements funded under this section on the
381 property do not exceed 10 percent of the property owner's annual
382 household income. Annual household income may be confirmed using
383 information gathered from reputable third parties that provide
384 reasonably reliable evidence of the property owner's annual
385 household income. Annual household income may not be confirmed
386 solely from a property owner's statement. The failure of a
387 property owner to disclose information set forth in s.
388 163.08(9)(d) does not invalidate an assessment financing
389 agreement or any obligation thereunder, even if the total
390 estimated annual payment amount exceeds the amount that would
391 otherwise be authorized under this section or s. 163.08.

392 (3) Before or contemporaneously with a property owner
393 signing an assessment financing agreement on a residential real
394 property, the program administrator must provide a financing
395 estimate and disclosure to the residential real property owner
396 which includes all of the following:

397 (a) The total amount estimated to be funded, including the
398 cost of the qualifying improvements, program fees, and
399 capitalized interest, if any.

400 (b) The estimated annual non-ad valorem assessment.

401 (c) The term of the non-ad valorem assessment.

402 (d) The interest charged and the estimated annual
403 percentage rate.

404 (e) A description of the qualifying improvement.

405 (f) A disclosure that if the property owner sells or
406 refinances the property, the property owner, as a condition of
407 the sale or the refinance, may be required by a mortgage lender
408 to pay off the full amount owed under each assessment financing
409 agreement.

410 (g) A disclosure that the non-ad valorem assessment will
411 be collected along with the property owner's property taxes and
412 will result in a lien on the property beginning on the date the
413 assessment financing agreement is recorded.

414 (h) A disclosure that failure to pay the non-ad valorem
415 assessment may result in penalties and fees along with the
416 issuance of a tax certificate that could result in the property
417 owner losing the real property.

418 (4) (a) Before a notice to proceed is issued on residential
419 real property, the program administrator must conduct, with a
420 residential real property owner or an authorized representative,
421 an oral, recorded telephone call during which time the program
422 administrator:

423 1. Must ask the residential real property owner if he or
424 she would like to communicate primarily in a language other than
425 English.

426 2. May not leave a voicemail for the residential real
427 property owner to satisfy subparagraph 1.

428 (b) During the telephone call, the program administrator
429 must confirm all of the following with the residential real
430 property owner:

431 1. That at least one residential real property owner has
432 access to a copy of the assessment financing agreement and
433 financing estimates and disclosures.

434 2. The qualifying improvements that are being financed.

435 3. The total estimated annual costs that the residential
436 real property owner will have to pay under the assessment
437 financing agreement, including applicable fees.

438 4. The total estimated average monthly equivalent amount
439 of funds the residential real property owner would have to save
440 in order to pay the annual costs of the assessment, including
441 applicable fees.

442 5. The estimated date the residential real property
443 owner's first property tax payment that includes the assessment
444 will be due.

445 6. The term of the assessment financing agreement.

446 7. That payments for the assessment financing agreement
447 will cause the residential real property owner's annual tax bill
448 to increase and that payments will be made through an additional
449 annual assessment on the property and will be paid directly to
450 the county tax collector's office as part of the total annual

451 secured property tax bill or may be paid through the residential
 452 real property owner's mortgage escrow account.

453 8. That the residential real property owner has disclosed
 454 whether the property has received or is seeking additional
 455 assessments funded under this section or s. 163.08 and has
 456 disclosed all other assessments funded under this section or s.
 457 163.08 that are or are about to be placed on the property.

458 9. That the property will be subject to a lien during the
 459 term of the assessment financing agreement and that the
 460 obligations under the agreement may be required to be paid in
 461 full before the residential real property owner sells or
 462 refinances the property.

463 10. That any potential utility or insurance savings are
 464 not guaranteed and will not reduce the assessment or total
 465 assessment amount.

466 11. That the program administrator does not provide tax
 467 advice and that the residential real property owner should seek
 468 professional tax advice if he or she has questions regarding tax
 469 credits, tax deductibility, or other tax impacts of the
 470 qualifying improvement or the assessment financing agreement.

471 (5) The residential real property owner may cancel the
 472 assessment financing agreement within 3 business days after
 473 signing the assessment financing agreement without any financial
 474 penalty for doing so.

475 (6) The term of an assessment financing agreement on

476 residential real property may not exceed:

477 (a) Thirty years; or

478 (b) The weighted average estimated useful life of all
479 qualifying improvements being financed or the estimated useful
480 life of the qualifying improvements to which the greatest
481 portion of funds are disbursed.

482 (7) An assessment financing agreement authorized under
483 this section or s. 163.08 on residential real property may not
484 include any of the following:

485 (a) A negative amortization schedule.

486 (b) A balloon payment.

487 (c) Prepayment fees, other than nominal administrative
488 costs.

489 (8) For residential real property, a program
490 administrator:

491 (a) May not enroll a contractor who contracts with
492 residential real property owners to install qualifying
493 improvements unless the program administrator:

494 1. Makes a reasonable effort to review that the contractor
495 maintains in good standing an appropriate license from the
496 state, if applicable, as well as any other permits, licenses, or
497 registrations required for engaging in business in the
498 jurisdiction in which he or she operates and that the contractor
499 maintains all state-required bond and insurance coverage.

500 2. Obtains the contractor's written agreement that the

501 contractor will act in accordance with all applicable laws and
502 rules, including applicable advertising and marketing laws and
503 rules.

504 (b) Must maintain a process to enroll new contractors that
505 includes reasonable review of the following for each contractor:

506 1. Relevant work or project history.

507 2. Financial and reputational background checks.

508 3. A criminal background check. A program administrator
509 may rely on a criminal background check conducted by the
510 Construction Industry Licensing Board within the Department of
511 Business and Professional Regulation to comply with this
512 requirement.

513 4. Rating with the Better Business Bureau or other online
514 platform that tracks contractor reviews.

515 (9) (a) Before disbursing funds to a contractor for a
516 qualifying improvement on residential real property, a program
517 administrator must confirm that the relevant work or service has
518 been completed, either through a written certification from the
519 property owner, a recorded telephone call with the property
520 owner, review of time-stamped photographs, review of a final
521 permit, or a site inspection through a third party.

522 (b) A program administrator may not disclose to a
523 contractor or to a third party engaged in soliciting an
524 assessment financing agreement the maximum financing amount for
525 which a residential real property owner is eligible.

- 526 (10) When communicating with residential real property
527 owners, a program administrator may not:
- 528 (a) Represent that:
- 529 1. The REEF program or assessment financing is a
530 government assistance program;
- 531 2. Qualifying improvements are free or assessment
532 financing is a free program; or
- 533 3. The financing of a qualifying improvement using the
534 REEF program does not require the property owner to repay the
535 financial obligation.
- 536 (b) Make any representation as to the tax deductibility of
537 a non-ad valorem assessment authorized under this section or s.
538 163.08. A program administrator may encourage a property owner
539 to seek the advice of a tax professional regarding tax matters
540 related to such assessments.
- 541 (11) A contractor may not present a higher price for a
542 qualifying improvement on residential real property financed by
543 an assessment financing agreement than the contractor would
544 otherwise reasonably present if the qualifying improvement was
545 not being financed through an assessment financing agreement.
- 546 (12) A program administrator shall use appropriate
547 methodologies or technologies to identify and verify the
548 identity of the residential real property owners who execute an
549 assessment financing agreement.
- 550 (13) A program administrator may not provide a contractor

551 with any payment, fee, or kickback in exchange for referring
552 assessment financing business relating to a specific assessment
553 financing agreement.

554 (14) A program administrator must develop and implement
555 policies and procedures for responding to, tracking, and helping
556 resolve questions and property owner complaints as soon as
557 reasonably practicable.

558 (15) A program administrator must maintain a process for
559 monitoring contractors who contract with residential real
560 property owners to install qualifying improvements with regard
561 to performance and compliance with program policies and shall
562 implement policies for suspending and terminating contractors
563 based on violations of program policies or unscrupulous
564 behavior. A program administrator shall maintain a policy for
565 determining the conditions upon which a contractor may be
566 reinstated to the REEF program.

567 (16) A program administrator shall provide an annual
568 report to each dependent special district as defined in s.
569 189.012 or separate legal entity created pursuant to s.
570 163.01(7) that it has been contracted to administer the REEF
571 program authorized under this section. The annual report shall
572 be provided at a reasonable time following the end of the prior
573 calendar year and shall include information and data related to
574 the following:

575 (a) The total number of property owner complaints received

576 that are associated with project funding in the report year.

577 (b) Of the total number of property owner complaints
578 received that are associated with project funding in the report
579 year:

580 1. The number and percentage of complaints that relate to
581 the assessment financing.

582 2. The number and percentage of complaints that relate to
583 a contractor or the workmanship of a contractor but do not
584 relate to assessment financing.

585 3. The number and percentage of complaints that relate to
586 a contractor and assessment financing.

587 4. The number and percentage of complaints under
588 subparagraphs 1., 2., and 3. that were resolved and the number
589 and percentage of complaints that were not resolved.

590 (c) The percentage of property owner complaints under
591 subparagraphs (b)1., 2., and 3. expressed as a total of all
592 projects funded in the report year.

593 Section 3. This act shall take effect July 1, 2022.