

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Lopez, V. offered the following:

**Amendment**

Remove lines 776-1736 and insert:

a turnover inspection report in compliance with s. 718.301(4) (p)  
and (q) structural integrity reserve study completed for each  
building on the condominium property that is three stories or  
higher in height.

6.3. Associations existing on or before July 1, 2022,  
which are controlled by unit owners other than the developer,  
must have a structural integrity reserve study completed by  
December 31, 2024, for each building on the condominium property  
that is three stories or higher in height. An association that

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14 is required to complete a milestone inspection in accordance  
15 with s. 553.899 on or before December 31, 2026, may complete the  
16 structural integrity reserve study simultaneously with the  
17 milestone inspection. In no event may the structural integrity  
18 reserve study be completed after December 31, 2026.

19 7. If the milestone inspection required by s. 553.899, or  
20 an inspection completed for a similar local requirement, was  
21 performed within the past 5 years and meets the requirements of  
22 this paragraph, such inspection may be used in place of the  
23 visual inspection portion of the structural integrity reserve  
24 study.

25 8.4- If the officers or directors of an association  
26 willfully and knowingly fail ~~fails~~ to complete a structural  
27 integrity reserve study pursuant to this paragraph, such failure  
28 is a breach of an officer's and director's fiduciary  
29 relationship to the unit owners under s. 718.111(1).

30 (h) *Mandatory milestone inspections.*—If an association is  
31 required to have a milestone inspection performed pursuant to s.  
32 553.899, the association must arrange for the milestone  
33 inspection to be performed and is responsible for ensuring  
34 compliance with the requirements of s. 553.899. The association  
35 is responsible for all costs associated with the milestone  
36 inspection attributable to the portions of the building which  
37 the association is responsible for maintaining under the  
38 governing documents of the association. If the officers or

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39 directors of an association willfully and knowingly fail to have  
40 a milestone inspection performed pursuant to s. 553.899, such  
41 failure is a breach of the officers' and directors' fiduciary  
42 relationship to the unit owners under s. 718.111(1)(a). Within  
43 14 days after receipt of a written notice from the local  
44 enforcement agency that a milestone inspection is required, the  
45 association must notify the unit owners of the required  
46 milestone inspection and provide the date by which the milestone  
47 inspection must be completed. Such notice may be given by  
48 electronic submission to unit owners who consent to receive  
49 notice by electronic submission or by posting on the  
50 association's website. Within 45 days after receiving ~~Upon~~  
51 ~~completion of a phase one or phase two milestone inspection and~~  
52 ~~receipt of the inspector-prepared summary of the inspection~~  
53 report from the architect or engineer who performed the  
54 inspection, the association must distribute a copy of the  
55 inspector-prepared summary of the inspection report to each unit  
56 owner, regardless of the findings or recommendations in the  
57 report, by United States mail or personal delivery at the  
58 mailing address, property address, or any other address of the  
59 owner provided to fulfill the association's notice requirements  
60 under this chapter and by electronic transmission to the e-mail  
61 address or facsimile number provided to fulfill the  
62 association's notice requirements to unit owners who previously  
63 consented to receive notice by electronic transmission; must

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64 post a copy of the inspector-prepared summary in a conspicuous  
65 place on the condominium property; and must publish the full  
66 report and inspector-prepared summary on the association's  
67 website, if the association is required to have a website.

68 Section 7. Effective July 1, 2027, subsection (5) of  
69 section 718.1255, Florida Statutes, is amended, and paragraph  
70 (d) is added to subsection (1) of that section, to read:

71 718.1255 Alternative dispute resolution; mediation;  
72 nonbinding arbitration; applicability.—

73 (1) DEFINITIONS.—As used in this section, the term  
74 "dispute" means any disagreement between two or more parties  
75 that involves:

76 (d) The failure of a board of administration, when  
77 required by this chapter or an association document, to:

78 1. Obtain the milestone inspection required under s.  
79 553.899.

80 2. Obtain a structural integrity reserve study required  
81 under s. 718.112(2)(g).

82 3. Fund reserves as required for an item identified in s.  
83 718.112(2)(g).

84 4. Make or provide necessary maintenance or repairs of  
85 condominium property recommended by a milestone inspection or a  
86 structural integrity reserve study.

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88 "Dispute" does not include any disagreement that primarily  
89 involves: title to any unit or common element; the  
90 interpretation or enforcement of any warranty; the levy of a fee  
91 or assessment, or the collection of an assessment levied against  
92 a party; the eviction or other removal of a tenant from a unit;  
93 alleged breaches of fiduciary duty by one or more directors; or  
94 claims for damages to a unit based upon the alleged failure of  
95 the association to maintain the common elements or condominium  
96 property.

97 (5) PRESUIT MEDIATION.—In lieu of the initiation of  
98 nonbinding arbitration as provided in subsections (1)-(4), a  
99 party may submit a dispute to presuit mediation in accordance  
100 with s. 720.311; however, election and recall disputes are not  
101 eligible for mediation and such disputes must be arbitrated by  
102 the division or filed in a court of competent jurisdiction.  
103 Disputes identified in paragraph (1)(d) are not subject to  
104 nonbinding arbitration under subsection (4) and must be  
105 submitted to presuit mediation in accordance with s. 720.311.

106 Section 8. Subsection (1) of section 718.113, Florida  
107 Statutes, is amended to read:

108 718.113 Maintenance; limitation upon improvement; display  
109 of flag; hurricane shutters and protection; display of religious  
110 decorations.—

111 (1) Maintenance of the common elements is the  
112 responsibility of the association, except for any maintenance

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113 responsibility for limited common elements assigned to the unit  
114 owner by the declaration. The association shall provide for the  
115 maintenance, repair, and replacement of the condominium property  
116 for which it bears responsibility pursuant to the declaration of  
117 condominium. After turnover of control of the association to the  
118 unit owners, the association must perform any required  
119 maintenance identified by the developer pursuant to s.  
120 718.301(4)(p) and (q) until the association obtains new  
121 maintenance protocols from a licensed professional engineer or  
122 architect or a person certified as a reserve specialist or  
123 professional reserve analyst by the Community Associations  
124 Institute or the Association of Professional Reserve Analysts.  
125 The declaration may provide that certain limited common elements  
126 shall be maintained by those entitled to use the limited common  
127 elements or that the association shall provide the maintenance,  
128 either as a common expense or with the cost shared only by those  
129 entitled to use the limited common elements. If the maintenance  
130 is to be by the association at the expense of only those  
131 entitled to use the limited common elements, the declaration  
132 shall describe in detail the method of apportioning such costs  
133 among those entitled to use the limited common elements, and the  
134 association may use the provisions of s. 718.116 to enforce  
135 payment of the shares of such costs by the unit owners entitled  
136 to use the limited common elements.

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137 Section 9. Present paragraphs (q) and (r) of subsection  
138 (4) of section 718.301, Florida Statutes, are redesignated as  
139 paragraphs (r) and (s), respectively, a new paragraph (q) is  
140 added to that subsection, and paragraph (p) of that subsection  
141 is amended, to read:

142 718.301 Transfer of association control; claims of defect  
143 by association.—

144 (4) At the time that unit owners other than the developer  
145 elect a majority of the members of the board of administration  
146 of an association, the developer shall relinquish control of the  
147 association, and the unit owners shall accept control.

148 Simultaneously, or for the purposes of paragraph (c) not more  
149 than 90 days thereafter, the developer shall deliver to the  
150 association, at the developer's expense, all property of the  
151 unit owners and of the association which is held or controlled  
152 by the developer, including, but not limited to, the following  
153 items, if applicable, as to each condominium operated by the  
154 association:

155 (p) Notwithstanding when the certificate of occupancy was  
156 issued or the height of the building, a turnover inspection  
157 report ~~a milestone inspection report in compliance with s.~~  
158 ~~553.899~~ included in the official records, under seal of an  
159 architect or engineer authorized to practice in this state or a  
160 person certified as a reserve specialist or professional reserve  
161 analyst by the Community Associations Institute or the

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162 Association of Professional Reserve Analysts, and attesting to  
163 required maintenance, condition, useful life, and replacement  
164 costs of the following applicable condominium property  
165 ~~comprising a turnover inspection report:~~

- 166 1. Roof.
- 167 2. Structure, including load-bearing walls and primary  
168 structural members and primary structural systems as those terms  
169 are defined in s. 627.706.
- 170 3. Fireproofing and fire protection systems.
- 171 4. Plumbing Elevators.
- 172 5. Electrical systems Heating and cooling systems.
- 173 6. Waterproofing and exterior painting Plumbing.
- 174 7. Windows and exterior doors Electrical systems.
- 175 8. ~~Swimming pool or spa and equipment.~~
- 176 9. ~~Seawalls.~~
- 177 10. ~~Pavement and parking areas.~~
- 178 11. ~~Drainage systems.~~
- 179 12. ~~Painting.~~
- 180 13. ~~Irrigation systems.~~
- 181 14. ~~Waterproofing.~~

182 (g) Notwithstanding when the certificate of occupancy was  
183 issued or the height of the building, a turnover inspection  
184 report included in the official records, under seal of an  
185 architect or engineer authorized to practice in this state or a  
186 person certified as a reserve specialist or professional reserve

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187 analyst by the Community Associations Institute or the  
188 Association of Professional Reserve Analysts, and attesting to  
189 required maintenance, condition, useful life, and replacement  
190 costs of the following applicable condominium property  
191 comprising a turnover inspection report:

- 192 1. Elevators.
- 193 2. Heating and cooling systems.
- 194 3. Swimming pool or spa and equipment.
- 195 4. Seawalls.
- 196 5. Pavement and parking areas.
- 197 6. Drainage systems.
- 198 7. Irrigation systems.

199 Section 10. Paragraph (b) of subsection (1) and paragraph  
200 (a) of subsection (2) of section 718.503, Florida Statutes, are  
201 amended, and paragraph (d) is added to subsection (1) and  
202 paragraph (e) is added to subsection (2) of that section, to  
203 read:

204 718.503 Developer disclosure prior to sale; nondeveloper  
205 unit owner disclosure prior to sale; voidability.—

206 (1) DEVELOPER DISCLOSURE.—

207 (b) *Copies of documents to be furnished to prospective*  
208 *buyer or lessee.*—Until such time as the developer has furnished  
209 the documents listed below to a person who has entered into a  
210 contract to purchase a residential unit or lease it for more  
211 than 5 years, the contract may be voided by that person,

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212 entitling the person to a refund of any deposit together with  
213 interest thereon as provided in s. 718.202. The contract may be  
214 terminated by written notice from the proposed buyer or lessee  
215 delivered to the developer within 15 days after the buyer or  
216 lessee receives all of the documents required by this section.  
217 The developer may not close for 15 days after the execution of  
218 the agreement and delivery of the documents to the buyer as  
219 evidenced by a signed receipt for documents unless the buyer is  
220 informed in the 15-day voidability period and agrees to close  
221 before the expiration of the 15 days. The developer shall retain  
222 in his or her records a separate agreement signed by the buyer  
223 as proof of the buyer's agreement to close before the expiration  
224 of the voidability period. The developer must retain such proof  
225 for a period of 5 years after the date of the closing of the  
226 transaction. The documents to be delivered to the prospective  
227 buyer are the prospectus or disclosure statement with all  
228 exhibits, if the development is subject to s. 718.504, or, if  
229 not, then copies of the following which are applicable:

230 1. The question and answer sheet described in s. 718.504,  
231 and declaration of condominium, or the proposed declaration if  
232 the declaration has not been recorded, which shall include the  
233 certificate of a surveyor approximately representing the  
234 locations required by s. 718.104.

235 2. The documents creating the association.

236 3. The bylaws.

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237 4. The ground lease or other underlying lease of the  
238 condominium.

239 5. The management contract, maintenance contract, and  
240 other contracts for management of the association and operation  
241 of the condominium and facilities used by the unit owners having  
242 a service term in excess of 1 year, and any management contracts  
243 that are renewable.

244 6. The estimated operating budget for the condominium and  
245 a schedule of expenses for each type of unit, including fees  
246 assessed pursuant to s. 718.113(1) for the maintenance of  
247 limited common elements where such costs are shared only by  
248 those entitled to use the limited common elements.

249 7. The lease of recreational and other facilities that  
250 will be used only by unit owners of the subject condominium.

251 8. The lease of recreational and other common facilities  
252 that will be used by unit owners in common with unit owners of  
253 other condominiums.

254 9. The form of unit lease if the offer is of a leasehold.

255 10. Any declaration of servitude of properties serving the  
256 condominium but not owned by unit owners or leased to them or  
257 the association.

258 11. If the development is to be built in phases or if the  
259 association is to manage more than one condominium, a  
260 description of the plan of phase development or the arrangements  
261 for the association to manage two or more condominiums.

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262 12. If the condominium is a conversion of existing  
263 improvements, the statements and disclosure required by s.  
264 718.616.

265 13. The form of agreement for sale or lease of units.

266 14. A copy of the floor plan of the unit and the plot plan  
267 showing the location of the residential buildings and the  
268 recreation and other common areas.

269 15. A copy of all covenants and restrictions that will  
270 affect the use of the property and are not contained in the  
271 foregoing.

272 16. If the developer is required by state or local  
273 authorities to obtain acceptance or approval of any dock or  
274 marina facilities intended to serve the condominium, a copy of  
275 any such acceptance or approval acquired by the time of filing  
276 with the division under s. 718.502(1), or a statement that such  
277 acceptance or approval has not been acquired or received.

278 17. Evidence demonstrating that the developer has an  
279 ownership, leasehold, or contractual interest in the land upon  
280 which the condominium is to be developed.

281 18. A copy of the inspector-prepared summary of the  
282 milestone inspection report as described in s. 553.899, or a  
283 statement in conspicuous type indicating that the required  
284 milestone inspection described in s. 553.899 has not been  
285 completed or that a milestone inspection is not required, as  
286 applicable ss. 553.899 and 718.301(4) (p).

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287           19. A copy of the ~~association's~~ most recent structural  
288 integrity reserve study, or a statement in conspicuous type  
289 indicating that the association has not completed a required  
290 structural integrity reserve study has not been completed or  
291 that a structural integrity reserve study is not required, as  
292 applicable.

293           20. A copy of the turnover inspection report described in  
294 s. 718.301(4) (p) and (q) or a statement in conspicuous type  
295 indicating that a turnover inspection report has not been  
296 completed, as applicable.

297           (d) Milestone inspection, turnover inspection report, or  
298 structural integrity reserve study.—If the association is  
299 required to have completed a milestone inspection as described  
300 in s. 553.899, a turnover inspection report for a turnover  
301 inspection performed on or after July 1, 2023, or a structural  
302 integrity reserve study, and the association has not completed  
303 the milestone inspection, the turnover inspection report, or the  
304 structural integrity reserve study, each contract entered into  
305 after December 31, 2024, for the sale of a residential unit  
306 shall contain in conspicuous type a statement indicating that  
307 the association is required to have a milestone inspection, a  
308 turnover inspection report, or a structural integrity reserve  
309 study and has not completed such inspection, report, or study,  
310 as appropriate. If the association is not required to have a  
311 milestone inspection as described in s. 553.899 or a structural

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312 integrity reserve study, each contract entered into after  
313 December 31, 2024, for the sale of a residential unit shall  
314 contain in conspicuous type a statement indicating that the  
315 association is not required to have a milestone inspection or a  
316 structural integrity reserve study, as appropriate. If the  
317 association has completed a milestone inspection as described in  
318 s. 553.899, a turnover inspection report for a turnover  
319 inspection performed on or after July 1, 2023, or a structural  
320 integrity reserve study, each contract entered into after  
321 December 31, 2024, for the sale of a residential unit shall  
322 contain in conspicuous type:

323 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES  
324 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-  
325 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED  
326 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF  
327 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION  
328 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A  
329 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY  
330 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND  
331 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 15  
332 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO  
333 EXECUTION OF THIS CONTRACT; and

334 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY  
335 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO  
336 CANCEL WITHIN 15 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL

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337 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE  
338 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-  
339 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED  
340 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF  
341 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION  
342 718.301(4)(p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A  
343 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY  
344 RESERVE STUDY DESCRIBED IN SECTIONS 718.103(26) AND  
345 718.112(2)(g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED  
346 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER  
347 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 15  
348 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER  
349 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED  
350 SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN  
351 SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER  
352 INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q),  
353 FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT  
354 STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS  
355 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF REQUESTED IN  
356 WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT  
357 CLOSING.

358  
359 A contract that does not conform to the requirements of this  
360 paragraph is voidable at the option of the purchaser prior to  
361 closing.

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362 (2) NONDEVELOPER DISCLOSURE.—

363 (a) Each unit owner who is not a developer as defined by  
364 this chapter must comply with this subsection before the sale of  
365 his or her unit. Each prospective purchaser who has entered into  
366 a contract for the purchase of a condominium unit is entitled,  
367 at the seller's expense, to a current copy of all of the  
368 following:

369 1. The declaration of condominium.

370 2. Articles of incorporation of the association.

371 3. Bylaws and rules of the association.

372 4. Financial information required by s. 718.111.

373 5. A copy of the inspector-prepared summary of the  
374 milestone inspection report as described in s. 553.899 ~~ss.~~  
375 ~~553.899 and 718.301(4)(p)~~, if applicable.

376 6. The association's most recent structural integrity  
377 reserve study or a statement that the association has not  
378 completed a structural integrity reserve study.

379 7. A copy of the inspection report described in s.  
380 718.301(4)(p) and (q) for a turnover inspection performed on or  
381 after July 1, 2023.

382 8. The document entitled "Frequently Asked Questions and  
383 Answers" required by s. 718.504.

384 (e) If the association is required to have completed a  
385 milestone inspection as described in s. 553.899, a turnover  
386 inspection report for a turnover inspection performed on or

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387 after July 1, 2023, or a structural integrity reserve study, and  
388 the association has not completed the milestone inspection, the  
389 turnover inspection report, or the structural integrity reserve  
390 study, each contract entered into after December 31, 2024, for  
391 the sale of a residential unit shall contain in conspicuous type  
392 a statement indicating that the association is required to have  
393 a milestone inspection, a turnover inspection report, or a  
394 structural integrity reserve study and has not completed such  
395 inspection, report, or study, as appropriate. If the association  
396 is not required to have a milestone inspection as described in  
397 s. 553.899 or a structural integrity reserve study, each  
398 contract entered into after December 31, 2024, for the sale of a  
399 residential unit shall contain in conspicuous type a statement  
400 indicating that the association is not required to have a  
401 milestone inspection or a structural integrity reserve study, as  
402 appropriate. If the association has completed a milestone  
403 inspection as described in s. 553.899, a turnover inspection  
404 report for a turnover inspection performed on or after July 1,  
405 2023, or a structural integrity reserve study, each contract  
406 entered into after December 31, 2024, for the resale of a  
407 residential unit shall contain in conspicuous type:

408 1. A clause which states: THE BUYER HEREBY ACKNOWLEDGES  
409 THAT BUYER HAS BEEN PROVIDED A CURRENT COPY OF THE INSPECTOR-  
410 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED  
411 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF

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412 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION  
413 718.301 (4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A  
414 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY  
415 RESERVE STUDY DESCRIBED IN SECTIONS 718.103 (26) AND  
416 718.112 (2) (g), FLORIDA STATUTES, IF APPLICABLE, MORE THAN 3  
417 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, PRIOR TO  
418 EXECUTION OF THIS CONTRACT; and

419 2. A clause which states: THIS AGREEMENT IS VOIDABLE BY  
420 BUYER BY DELIVERING WRITTEN NOTICE OF THE BUYER'S INTENTION TO  
421 CANCEL WITHIN 3 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL  
422 HOLIDAYS, AFTER THE DATE OF EXECUTION OF THIS AGREEMENT BY THE  
423 BUYER AND RECEIPT BY BUYER OF A CURRENT COPY OF THE INSPECTOR-  
424 PREPARED SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED  
425 IN SECTION 553.899, FLORIDA STATUTES, IF APPLICABLE; A COPY OF  
426 THE TURNOVER INSPECTION REPORT DESCRIBED IN SECTION  
427 718.301 (4) (p) AND (q), FLORIDA STATUTES, IF APPLICABLE; AND A  
428 COPY OF THE ASSOCIATION'S MOST RECENT STRUCTURAL INTEGRITY  
429 RESERVE STUDY DESCRIBED IN SECTIONS 718.103 (26) AND  
430 718.112 (2) (g), FLORIDA STATUTES, IF APPLICABLE. ANY PURPORTED  
431 WAIVER OF THESE VOIDABILITY RIGHTS SHALL BE OF NO EFFECT. BUYER  
432 MAY EXTEND THE TIME FOR CLOSING FOR A PERIOD OF NOT MORE THAN 3  
433 DAYS, EXCLUDING SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS, AFTER  
434 THE BUYER RECEIVES A CURRENT COPY OF THE INSPECTOR-PREPARED  
435 SUMMARY OF THE MILESTONE INSPECTION REPORT AS DESCRIBED IN  
436 SECTION 553.899, FLORIDA STATUTES; A COPY OF THE TURNOVER

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437 INSPECTION REPORT DESCRIBED IN SECTION 718.301(4)(p) AND (q),  
438 FLORIDA STATUTES; OR A COPY OF THE ASSOCIATION'S MOST RECENT  
439 STRUCTURAL INTEGRITY RESERVE STUDY DESCRIBED IN SECTIONS  
440 718.103(26) AND 718.112(2)(g), FLORIDA STATUTES, IF REQUESTED IN  
441 WRITING. BUYER'S RIGHT TO VOID THIS AGREEMENT SHALL TERMINATE AT  
442 CLOSING.

443  
444 A contract that does not conform to the requirements of this  
445 paragraph is voidable at the option of the purchaser prior to  
446 closing.

447 Section 11. Paragraph (a) of subsection (7) and paragraph  
448 (c) of subsection (21) of section 718.504, Florida Statutes, are  
449 amended to read:

450 718.504 Prospectus or offering circular.—Every developer  
451 of a residential condominium which contains more than 20  
452 residential units, or which is part of a group of residential  
453 condominiums which will be served by property to be used in  
454 common by unit owners of more than 20 residential units, shall  
455 prepare a prospectus or offering circular and file it with the  
456 Division of Florida Condominiums, Timeshares, and Mobile Homes  
457 prior to entering into an enforceable contract of purchase and  
458 sale of any unit or lease of a unit for more than 5 years and  
459 shall furnish a copy of the prospectus or offering circular to  
460 each buyer. In addition to the prospectus or offering circular,  
461 each buyer shall be furnished a separate page entitled

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462 "Frequently Asked Questions and Answers," which shall be in  
463 accordance with a format approved by the division and a copy of  
464 the financial information required by s. 718.111. This page  
465 shall, in readable language, inform prospective purchasers  
466 regarding their voting rights and unit use restrictions,  
467 including restrictions on the leasing of a unit; shall indicate  
468 whether and in what amount the unit owners or the association is  
469 obligated to pay rent or land use fees for recreational or other  
470 commonly used facilities; shall contain a statement identifying  
471 that amount of assessment which, pursuant to the budget, would  
472 be levied upon each unit type, exclusive of any special  
473 assessments, and which shall further identify the basis upon  
474 which assessments are levied, whether monthly, quarterly, or  
475 otherwise; shall state and identify any court cases in which the  
476 association is currently a party of record in which the  
477 association may face liability in excess of \$100,000; and which  
478 shall further state whether membership in a recreational  
479 facilities association is mandatory, and if so, shall identify  
480 the fees currently charged per unit type. The division shall by  
481 rule require such other disclosure as in its judgment will  
482 assist prospective purchasers. The prospectus or offering  
483 circular may include more than one condominium, although not all  
484 such units are being offered for sale as of the date of the  
485 prospectus or offering circular. The prospectus or offering  
486 circular must contain the following information:

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487 (7) A description of the recreational and other facilities  
488 that will be used in common with other condominiums, community  
489 associations, or planned developments which require the payment  
490 of the maintenance and expenses of such facilities, directly or  
491 indirectly, by the unit owners. The description shall include,  
492 but not be limited to, the following:

493 (a) Each building and facility committed to be built and a  
494 summary description of the structural integrity of each building  
495 for which reserves are required pursuant to s. 718.112(2)(g).

496  
497 Descriptions shall include location, areas, capacities, numbers,  
498 volumes, or sizes and may be stated as approximations or  
499 minimums.

500 (21) An estimated operating budget for the condominium and  
501 the association, and a schedule of the unit owner's expenses  
502 shall be attached as an exhibit and shall contain the following  
503 information:

504 (c) The estimated items of expenses of the condominium and  
505 the association, except as excluded under paragraph (b),  
506 including, but not limited to, the following items, which shall  
507 be stated as an association expense collectible by assessments  
508 or as unit owners' expenses payable to persons other than the  
509 association:

510 1. Expenses for the association and condominium:

511 a. Administration of the association.

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- 512           b. Management fees.
- 513           c. Maintenance.
- 514           d. Rent for recreational and other commonly used
- 515 facilities.
- 516           e. Taxes upon association property.
- 517           f. Taxes upon leased areas.
- 518           g. Insurance.
- 519           h. Security provisions.
- 520           i. Other expenses.
- 521           j. Operating capital.
- 522           k. Reserves for all applicable items referenced in s.
- 523 718.112(2)(g).
- 524           1. Fees payable to the division.
- 525           2. Expenses for a unit owner:
- 526           a. Rent for the unit, if subject to a lease.
- 527           b. Rent payable by the unit owner directly to the lessor
- 528 or agent under any recreational lease or lease for the use of
- 529 commonly used facilities, which use and payment is a mandatory
- 530 condition of ownership and is not included in the common expense
- 531 or assessments for common maintenance paid by the unit owners to
- 532 the association.
- 533           Section 12. Subsection (24) of section 719.103, Florida
- 534 Statutes, is amended to read:
- 535           719.103 Definitions.—As used in this chapter:

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536 (24) "Structural integrity reserve study" means a study of  
537 the reserve funds required for future major repairs and  
538 replacement of the cooperative property performed as required  
539 under s. 719.106(1)(k) common areas based on a visual inspection  
540 of the common areas. A structural integrity reserve study may be  
541 performed by any person qualified to perform such study.  
542 However, the visual inspection portion of the structural  
543 integrity reserve study must be performed by an engineer  
544 licensed under chapter 471 or an architect licensed under  
545 chapter 481. At a minimum, a structural integrity reserve study  
546 must identify the common areas being visually inspected, state  
547 the estimated remaining useful life and the estimated  
548 replacement cost or deferred maintenance expense of the common  
549 areas being visually inspected, and provide a recommended annual  
550 reserve amount that achieves the estimated replacement cost or  
551 deferred maintenance expense of each common area being visually  
552 inspected by the end of the estimated remaining useful life of  
553 each common area.

554 Section 13. Present subsections (5) through (11) of  
555 section 719.104, Florida Statutes, are redesignated as  
556 subsections (6) through (12), respectively, a new subsection (5)  
557 is added to that section, and paragraph (c) of subsection (2) of  
558 that section is amended, to read:

559 719.104 Cooperatives; access to units; records; financial  
560 reports; assessments; purchase of leases.-

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561 (2) OFFICIAL RECORDS.—

562 (c) The official records of the association are open to  
563 inspection by any association member and any person authorized  
564 by an association member as a ~~or the authorized~~ representative  
565 of such member at all reasonable times. The right to inspect the  
566 records includes the right to make or obtain copies, at the  
567 reasonable expense, if any, of the association member and of the  
568 person authorized by the association member as a representative  
569 of such member. A renter of a unit has a right to inspect and  
570 copy only the association's bylaws and rules and the inspection  
571 reports described in ss. 553.899 and 719.301(4) (p). The  
572 association may adopt reasonable rules regarding the frequency,  
573 time, location, notice, and manner of record inspections and  
574 copying, but may not require a member to demonstrate any purpose  
575 or state any reason for the inspection. The failure of an  
576 association to provide the records within 10 working days after  
577 receipt of a written request creates a rebuttable presumption  
578 that the association willfully failed to comply with this  
579 paragraph. A member who is denied access to official records is  
580 entitled to the actual damages or minimum damages for the  
581 association's willful failure to comply. The minimum damages are  
582 \$50 per calendar day for up to 10 days, beginning on the 11th  
583 working day after receipt of the written request. The failure to  
584 permit inspection entitles any person prevailing in an  
585 enforcement action to recover reasonable attorney fees from the

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586 person in control of the records who, directly or indirectly,  
587 knowingly denied access to the records. Any person who knowingly  
588 or intentionally defaces or destroys accounting records that are  
589 required by this chapter to be maintained during the period for  
590 which such records are required to be maintained, or who  
591 knowingly or intentionally fails to create or maintain  
592 accounting records that are required to be created or  
593 maintained, with the intent of causing harm to the association  
594 or one or more of its members, is personally subject to a civil  
595 penalty under s. 719.501(1)(d). The association shall maintain  
596 an adequate number of copies of the declaration, articles of  
597 incorporation, bylaws, and rules, and all amendments to each of  
598 the foregoing, as well as the question and answer sheet as  
599 described in s. 719.504 and year-end financial information  
600 required by the department, on the cooperative property to  
601 ensure their availability to members and prospective purchasers,  
602 and may charge its actual costs for preparing and furnishing  
603 these documents to those requesting the same. An association  
604 shall allow a member or his or her authorized representative to  
605 use a portable device, including a smartphone, tablet, portable  
606 scanner, or any other technology capable of scanning or taking  
607 photographs, to make an electronic copy of the official records  
608 in lieu of the association providing the member or his or her  
609 authorized representative with a copy of such records. The  
610 association may not charge a member or his or her authorized

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611 representative for the use of a portable device. Notwithstanding  
612 this paragraph, the following records shall not be accessible to  
613 members:

614 1. Any record protected by the lawyer-client privilege as  
615 described in s. 90.502 and any record protected by the work-  
616 product privilege, including any record prepared by an  
617 association attorney or prepared at the attorney's express  
618 direction which reflects a mental impression, conclusion,  
619 litigation strategy, or legal theory of the attorney or the  
620 association, and which was prepared exclusively for civil or  
621 criminal litigation or for adversarial administrative  
622 proceedings, or which was prepared in anticipation of such  
623 litigation or proceedings until the conclusion of the litigation  
624 or proceedings.

625 2. Information obtained by an association in connection  
626 with the approval of the lease, sale, or other transfer of a  
627 unit.

628 3. Personnel records of association or management company  
629 employees, including, but not limited to, disciplinary, payroll,  
630 health, and insurance records. For purposes of this  
631 subparagraph, the term "personnel records" does not include  
632 written employment agreements with an association employee or  
633 management company, or budgetary or financial records that  
634 indicate the compensation paid to an association employee.

635 4. Medical records of unit owners.

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636           5. Social security numbers, driver license numbers, credit  
637 card numbers, e-mail addresses, telephone numbers, facsimile  
638 numbers, emergency contact information, addresses of a unit  
639 owner other than as provided to fulfill the association's notice  
640 requirements, and other personal identifying information of any  
641 person, excluding the person's name, unit designation, mailing  
642 address, property address, and any address, e-mail address, or  
643 facsimile number provided to the association to fulfill the  
644 association's notice requirements. Notwithstanding the  
645 restrictions in this subparagraph, an association may print and  
646 distribute to unit owners a directory containing the name, unit  
647 address, and all telephone numbers of each unit owner. However,  
648 an owner may exclude his or her telephone numbers from the  
649 directory by so requesting in writing to the association. An  
650 owner may consent in writing to the disclosure of other contact  
651 information described in this subparagraph. The association is  
652 not liable for the inadvertent disclosure of information that is  
653 protected under this subparagraph if the information is included  
654 in an official record of the association and is voluntarily  
655 provided by an owner and not requested by the association.

656           6. Electronic security measures that are used by the  
657 association to safeguard data, including passwords.

658           7. The software and operating system used by the  
659 association which allow the manipulation of data, even if the

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660 owner owns a copy of the same software used by the association.  
661 The data is part of the official records of the association.

662 8. All affirmative acknowledgments made pursuant to s.  
663 719.108(3)(b)3.

664 (5) MAINTENANCE.—Maintenance of the common elements is the  
665 responsibility of the association, except for any maintenance  
666 responsibility for limited common elements assigned to the unit  
667 owner by the declaration. The association shall provide for the  
668 maintenance, repair, and replacement of the cooperative property  
669 for which it bears responsibility pursuant to the declaration of  
670 cooperative. After turnover of control of the association to the  
671 unit owners, the association must perform any required  
672 maintenance identified by the developer pursuant to s.  
673 719.301(4)(p) and (q) until the association obtains new  
674 maintenance protocols from a licensed professional engineer or  
675 architect or a person certified as a reserve specialist or  
676 professional reserve analyst by the Community Associations  
677 Institute or the Association of Professional Reserve Analysts.  
678 The declaration may provide that certain limited common elements  
679 shall be maintained by those entitled to use the limited common  
680 elements or that the association shall provide the maintenance,  
681 either as a common expense or with the cost shared only by those  
682 entitled to use the limited common elements. If the maintenance  
683 is to be by the association at the expense of only those  
684 entitled to use the limited common elements, the declaration

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685 shall describe in detail the method of apportioning such costs  
686 among those entitled to use the limited common elements, and the  
687 association may use the provisions of s. 719.108 to enforce  
688 payment of the shares of such costs by the unit owners entitled  
689 to use the limited common elements.

690 Section 14. Paragraphs (e), (j), (k), and (l) of  
691 subsection (1) of section 719.106, Florida Statutes, are amended  
692 to read:

693 719.106 Bylaws; cooperative ownership.—

694 (1) MANDATORY PROVISIONS.—The bylaws or other cooperative  
695 documents shall provide for the following, and if they do not,  
696 they shall be deemed to include the following:

697 (e) *Budget procedures.*—

698 1. The board of administration shall mail, hand deliver,  
699 or electronically transmit to each unit owner at the address  
700 last furnished to the association, a meeting notice and copies  
701 of the proposed annual budget of common expenses to the unit  
702 owners not less than 14 days prior to the meeting at which the  
703 budget will be considered. Evidence of compliance with this 14-  
704 day notice must be made by an affidavit executed by an officer  
705 of the association or the manager or other person providing  
706 notice of the meeting and filed among the official records of  
707 the association. The meeting must be open to the unit owners.

708 2. If an adopted budget requires assessment against the  
709 unit owners in any fiscal or calendar year which exceeds 115

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710 percent of the assessments for the preceding year, the board  
711 upon written application of 10 percent of the voting interests  
712 to the board, shall call a special meeting of the unit owners  
713 within 30 days, upon not less than 10 days' written notice to  
714 each unit owner. At the special meeting, unit owners shall  
715 consider and enact a budget. Unless the bylaws require a larger  
716 vote, the adoption of the budget requires a vote of not less  
717 than a majority of all the voting interests.

718 3. The board of administration may, in any event, propose  
719 a budget to the unit owners at a meeting of members or by  
720 writing, and if the budget or proposed budget is approved by the  
721 unit owners at the meeting or by a majority of all voting  
722 interests in writing, the budget is adopted. If a meeting of the  
723 unit owners has been called and a quorum is not attained or a  
724 substitute budget is not adopted by the unit owners, the budget  
725 adopted by the board of directors goes into effect as scheduled.

726 4. In determining whether assessments exceed 115 percent  
727 of similar assessments for prior years, any authorized  
728 provisions for reasonable reserves for repair or replacement of  
729 cooperative property, anticipated expenses by the association  
730 which are not anticipated to be incurred on a regular or annual  
731 basis, insurance premiums, or assessments for betterments to the  
732 cooperative property must be excluded from computation. However,  
733 as long as the developer is in control of the board of  
734 administration, the board may not impose an assessment for any

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735 year greater than 115 percent of the prior fiscal or calendar  
736 year's assessment without approval of a majority of all voting  
737 interests.

738 (j) *Annual budget.*—

739 1. The proposed annual budget of common expenses must be  
740 detailed and must show the amounts budgeted by accounts and  
741 expense classifications, including, if applicable, but not  
742 limited to, those expenses listed in s. 719.504(20). The board  
743 of administration shall adopt the annual budget at least 14 days  
744 before the start of the association's fiscal year. In the event  
745 that the board fails to timely adopt the annual budget a second  
746 time, it is deemed a minor violation and the prior year's budget  
747 shall continue in effect until a new budget is adopted.

748 2. In addition to annual operating expenses, the budget  
749 must include reserve accounts for capital expenditures and  
750 deferred maintenance. These accounts must include, but not be  
751 limited to, roof replacement, building painting, and pavement  
752 resurfacing, regardless of the amount of deferred maintenance  
753 expense or replacement cost, and for any other items for which  
754 the deferred maintenance expense or replacement cost exceeds  
755 \$10,000. The amount to be reserved ~~for an item is determined by~~  
756 ~~the association's most recent structural integrity reserve study~~  
757 ~~that must be completed by December 31, 2024. If the amount to be~~  
758 ~~reserved for an item is not in the association's initial or most~~  
759 ~~recent structural integrity reserve study or the association has~~

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760 ~~not completed a structural integrity reserve study, the amount~~  
761 must be computed by means of a formula which is based upon  
762 estimated remaining useful life and estimated replacement cost  
763 or deferred maintenance expense of the reserve item. In a budget  
764 adopted by an association that is required to obtain a  
765 structural integrity reserve study, reserves must be maintained  
766 for the items identified in paragraph (k) for which the  
767 association is responsible pursuant to the declaration, and the  
768 reserve amount for such items must be based on the findings and  
769 recommendations of the association's most recent structural  
770 integrity reserve study. With respect to items for which an  
771 estimate of useful life is not readily ascertainable or with an  
772 estimated remaining useful life of greater than 25 years, an  
773 association is not required to reserve replacement costs for  
774 such items, but an association must reserve the amount of  
775 deferred maintenance expense, if any, which is recommended by  
776 the structural integrity reserve study for such items. The  
777 association may adjust replacement reserve assessments annually  
778 to take into account an inflation adjustment and any changes in  
779 estimates or extension of the useful life of a reserve item  
780 caused by deferred maintenance. The members of a unit-owner-  
781 controlled association may determine, by a majority vote of the  
782 total voting interests ~~at a duly called meeting~~ of the  
783 association, for a fiscal year to provide no reserves or  
784 reserves less adequate than required by this subsection. Before

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785 turnover of control of an association by a developer to unit  
786 owners other than a developer under s. 719.301, the developer-  
787 controlled association may not vote to waive the reserves or  
788 reduce funding of the reserves. For a budget adopted on or after  
789 ~~Effective~~ December 31, 2024, a unit-owner-controlled association  
790 that must obtain a structural integrity reserve study may not  
791 determine to provide no reserves or reserves less adequate than  
792 required by this paragraph for items listed in paragraph (k). If  
793 a meeting of the unit owners has been called to determine to  
794 provide no reserves, or reserves less adequate than required,  
795 and such result is not attained or a quorum is not attained, the  
796 reserves as included in the budget shall go into effect.

797 3. Reserve funds and any interest accruing thereon shall  
798 remain in the reserve account or accounts, and shall be used  
799 only for authorized reserve expenditures unless their use for  
800 other purposes is approved in advance by a vote of the majority  
801 of the total voting interests, ~~voting in person or by limited~~  
802 ~~proxy at a duly called meeting~~ of the association. Before  
803 turnover of control of an association by a developer to unit  
804 owners other than the developer under s. 719.301, the developer  
805 may not vote to use reserves for purposes other than that for  
806 which they were intended. For a budget adopted on or after  
807 ~~Effective~~ December 31, 2024, members of a unit-owner-controlled  
808 association that must obtain a structural integrity reserve  
809 study may not vote to use reserve funds, or any interest

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810 accruing thereon, ~~that are reserved for items listed in~~  
811 ~~paragraph (k)~~ for purposes other than the replacement or  
812 deferred maintenance costs of the components listed in paragraph  
813 (k) their intended purpose.

814 (k) *Structural integrity reserve study.*—

815 1. A residential cooperative ~~An~~ association must have a  
816 structural integrity reserve study completed at least every 10  
817 years for each building on the cooperative property that is  
818 three stories or higher in height as determined by the Florida  
819 Building Code that includes, at a minimum, a study of the  
820 following items as related to the structural integrity and  
821 safety of the building:

822 a. Roof.

823 b. Structure, including load-bearing walls and ~~or~~ other  
824 primary structural members and primary structural systems as  
825 those terms are defined in s. 627.706.

826 c. ~~Floor.~~

827 d. ~~Foundation.~~

828 e. ~~Fireproofing and fire protection systems.~~

829 d.f. ~~Plumbing.~~

830 e.g. ~~Electrical systems.~~

831 f.h. ~~Waterproofing and exterior painting.~~

832 g.i. ~~Windows and exterior doors.~~

833 h.j. ~~Any other item that has a deferred maintenance~~

834 expense or replacement cost that exceeds \$10,000 and the failure

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835 to replace or maintain such item negatively affects the items  
836 listed in sub-subparagraphs a.-g. ~~sub-subparagraphs a.-i.~~, as  
837 determined by the ~~licensed engineer or architect performing the~~  
838 visual inspection portion of the structural integrity reserve  
839 study.

840 2. A structural integrity reserve study is based on a  
841 visual inspection of the cooperative property. A structural  
842 integrity reserve study may be performed by any person qualified  
843 to perform such study. However, the visual inspection portion of  
844 the structural integrity reserve study must be performed or  
845 verified by an engineer licensed under chapter 471, an architect  
846 licensed under chapter 481, or a person certified as a reserve  
847 specialist or professional reserve analyst by the Community  
848 Associations Institute or the Association of Professional  
849 Reserve Analysts.

850 3. At a minimum, a structural integrity reserve study must  
851 identify each item of the cooperative property being visually  
852 inspected, state the estimated remaining useful life and the  
853 estimated replacement cost or deferred maintenance expense of  
854 each item of the cooperative property being visually inspected,  
855 and provide a reserve funding schedule with a recommended annual  
856 reserve amount that achieves the estimated replacement cost or  
857 deferred maintenance expense of each item of cooperative  
858 property being visually inspected by the end of the estimated  
859 remaining useful life of the item. The structural integrity

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860 reserve study may recommend that reserves do not need to be  
861 maintained for any item for which an estimate of useful life and  
862 an estimate of replacement cost cannot be determined, or the  
863 study may recommend a deferred maintenance expense amount for  
864 such item. The structural integrity reserve study may recommend  
865 that reserves for replacement costs do not need to be maintained  
866 for any item with an estimated remaining useful life of greater  
867 than 25 years, but the study may recommend a deferred  
868 maintenance expense amount for such item.

869 4. This paragraph does not apply to buildings less than  
870 three stories in height; single-family, two-family, or three-  
871 family dwellings with three or fewer habitable stories above  
872 ground; any portion or component of a building that has not been  
873 submitted to the cooperative form of ownership; or any portion  
874 or component of a building that is maintained by a party other  
875 than the association.

876 5. Before a developer turns over control of an association  
877 to unit owners other than the developer, the developer must have  
878 a turnover inspection report in compliance with s. 719.301(4) (p)  
879 and (q) structural integrity reserve study completed for each  
880 building on the cooperative property that is three stories or  
881 higher in height.

882 ~~6.3.~~ Associations existing on or before July 1, 2022,  
883 which are controlled by unit owners other than the developer,  
884 must have a structural integrity reserve study completed by

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885 December 31, 2024, for each building on the cooperative property  
886 that is three stories or higher in height. An association that  
887 is required to complete a milestone inspection on or before  
888 December 31, 2026, in accordance with s. 553.899 may complete  
889 the structural integrity reserve study simultaneously with the  
890 milestone inspection. In no event may the structural integrity  
891 reserve study be completed after December 31, 2026.

892 7. If the milestone inspection required by s. 553.899, or  
893 an inspection completed for a similar local requirement, was  
894 performed within the past 5 years and meets the requirements of  
895 this paragraph, such inspection may be used in place of the  
896 visual inspection portion of the structural integrity reserve  
897 study.

898 8.4. If the officers or directors of an association  
899 willfully and knowingly fail fails to complete a structural  
900 integrity reserve study pursuant to this paragraph, such failure  
901 is a breach of an officer's and director's fiduciary  
902 relationship to the unit owners under s. 719.104(9) s.  
903 719.104(8).

904 (1) *Mandatory milestone inspections.*—If an association is  
905 required to have a milestone inspection performed pursuant to s.  
906 553.899, the association must arrange for the milestone  
907 inspection to be performed and is responsible for ensuring  
908 compliance with the requirements of s. 553.899. The association  
909 is responsible for all costs associated with the milestone

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910 inspection attributable to the portions of the building which  
911 the association is responsible for maintaining under the  
912 governing documents of the association. If the officers or  
913 directors of an association willfully and knowingly fail to have  
914 a milestone inspection performed pursuant to s. 553.899, such  
915 failure is a breach of the officers' and directors' fiduciary  
916 relationship to the unit owners under s. 719.104(9) (a) ~~s.~~  
917 ~~719.104(8) (a).~~ Within 14 days after receipt of a written notice  
918 from the local enforcement agency that a milestone inspection is  
919 required, the association must notify the unit owners of the  
920 required milestone inspection and provide the date by which the  
921 milestone inspection must be completed. Such notice may be given  
922 by electronic submission to unit owners who consent to receive  
923 notice by electronic submission or by posting on the  
924 association's website. Within 45 days after receiving ~~Upon~~  
925 ~~completion of a phase one or phase two milestone inspection and~~  
926 ~~receipt of the inspector-prepared summary of the inspection~~  
927 report from the architect or engineer who performed the  
928 inspection, the association must distribute a copy of the  
929 inspector-prepared summary of the inspection report to each unit  
930 owner, regardless of the findings or recommendations in the  
931 report, by United States mail or personal delivery at the  
932 mailing address, property address, or any other address of the  
933 owner provided to fulfill the association's notice requirements  
934 under this chapter and by electronic transmission to the e-mail

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935 address or facsimile number provided to fulfill the  
936 association's notice requirements to unit owners who previously  
937 consented to receive notice by electronic transmission; must  
938 post a copy of the inspector-prepared summary in a conspicuous  
939 place on the cooperative property; and must publish the full  
940 report and inspector-prepared summary on the association's  
941 website, if the association is required to have a website.

942 Section 15. Present paragraph (q) of subsection (4) of  
943 section 719.301, Florida Statutes, is redesignated as paragraph  
944 (r), a new paragraph (q) is added to that subsection, and  
945 paragraph (p) of that subsection is amended, to read:

946 719.301 Transfer of association control.—

947 (4) When unit owners other than the developer elect a  
948 majority of the members of the board of administration of an  
949 association, the developer shall relinquish control of the  
950 association, and the unit owners shall accept control.  
951 Simultaneously, or for the purpose of paragraph (c) not more  
952 than 90 days thereafter, the developer shall deliver to the  
953 association, at the developer's expense, all property of the  
954 unit owners and of the association held or controlled by the  
955 developer, including, but not limited to, the following items,  
956 if applicable, as to each cooperative operated by the  
957 association:

958 (p) Notwithstanding when the certificate of occupancy was  
959 issued or the height of the building, a turnover inspection

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960 ~~report milestone inspection report in compliance with s. 553.899~~  
961 included in the official records, under seal of an architect or  
962 engineer authorized to practice in this state or a person  
963 certified as a reserve specialist or professional reserve  
964 analyst by the Community Associations Institute or the  
965 Association of Professional Reserve Analysts, attesting to  
966 required maintenance, condition, useful life, and replacement  
967 costs of the following applicable cooperative property  
968 ~~comprising a turnover inspection report:~~

342313

Approved For Filing: 4/27/2023 9:14:04 AM