



CYBER CITIZENS FOR JUSTICE, INC.

"From Justice As A Foundation All Rights Flow"

FLORIDA'S LARGEST STATE-WIDE PROPERTY OWNERS' ADVOCACY ORGANIZATION

VISIT THIS WEBSITE FOR MORE DETAILED INFORMATION:

<http://www.hoareformbill.net/>

CCFJ, Inc., with the help of local advocacy organizations and the great help of attorney Eric Glazer from Glazer & Associates, P.A. – and the valiant efforts of Senator Alan Hays and Representatives Debbie Mayfield and Mike LaRosa, succeeded in getting this bill enacted:

HOUSE BILL 7119 – Order Enrolled

Companion Bill S 580

Governor Rick Scott signed the bill into law on June 14, 2013.

THE BILL SUMMARY

- ❑ **CAM (FS 468.436):** Adding Disciplinary proceedings for violations of Florida statutes Chapter 718, 719 and 720 during the course of performing community association management services.
- ❑ **Records:**
 - Records have to be made available for inspection within 45 miles or within the county.
 - The association can make records available to a parcel owner electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request.
 - The association must permit a member to take photographic images of such records with a camera or other electronic device at no charge.
 - Disallows charges of more than \$20.00 per hour for personnel fees and charges at an hourly rate for vendor or employee time to cover administrative costs to the vendor or association.
 - Association may only charge up to 25 cents per page for copies made.
 - If copies are made by an outside duplicating service vendor or association management company personnel the association may charge the actual cost of copying, as supported by the vendor invoice.
- ❑ **Reserve Accounts:**
 - Requires the budget to designate the components for which the reserve accounts may be used.
- ❑ **Reporting Requirement:**
 - Each homeowners' association has to report to the Division by November 22, 2013, detailed information about the association.
- ❑ **Officers and Directors:**
 - HOA board members are now required to certify in writing to the secretary of the association that he or she has read the association's declaration of covenants, articles of incorporation, bylaws, and current written rules and policies or provide the secretary with an educational certificate stating that the board member has satisfactorily completed an educational curriculum administered by a division-approved education provider.
 - Requirements for contracts with companies where a director has a financial interest; comply with FS 617.0832
 - Disallows kickbacks to officers, directors, or managers.
 - Removes a director or officer charged by information or indictment with a felony theft or

- embezzlement offense involving the association's funds or property from office.
- Requires every association to maintain insurance or a fidelity bond for all persons who control or disburse funds of the association.
- ❑ **Amendment of Governing Documents:**
 - 30 days after recording an amendment to the governing documents, the association shall provide copies of the amendment to the members.
- ❑ **HOA Elections:**
 - Changes to nominations of candidates before election.
- ❑ **Transition of Association Control on HOAs if:**
 - the developer abandons or deserts the responsibility to maintain and complete the advertised amenities or infrastructure.
 - the developer files a petition seeking protection in bankruptcy (chapter 7);
 - the developer loses title to the property through a foreclosure action or the transfer of a deed in lieu of foreclosure;
 - a receiver for the developer is appointed by a circuit court and is not discharged within 30 days after such appointment.
- ❑ **Election of Board Members in developer-controlled HOAs:**
 - Members other than the developer can elect one board member after 50% of all parcels are conveyed to members.
- ❑ **Prohibited Clauses in documents:**
 - Prohibiting a developer from unilaterally making amendments to the governing documents that are arbitrary, capricious, or in bad faith; destroy the general plan of development; prejudice the rights of existing nondeveloper members; or materially shift economic burdens from the developer to the existing nondeveloper members.
- ❑ **Clarification "Previous Owner":**
 - For the purposes of this subsection, the term "*previous owner*" shall not include an association that acquires title to a delinquent property through foreclosure or by deed in lieu of foreclosure.

FOR MORE DETAILED INFORMATION PLEASE CONTACT:

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<http://www.ccfj.net/> ; E-Mail: info@ccfj.net

PLEASE JOIN OUR EFFORTS!

MEMBERSHIP APPLICATION

Check your choice(s) and fill in the information below.

() I want to become a Member and I enclose \$20.00 for one year's dues.

() I want to support Cyber Citizens For Justice, Inc. with my enclosed donation.

NOTE: *Donations are NOT tax deductible*

Name: _____ Address: _____ City: _____ ZIP + 4: _____ County: _____ Phone: (____) _____ E-Mail Address: _____ Date: _____	<p>Send <u>Membership Application</u> with your personal check to:</p> <p>Cyber Citizens For Justice, Inc. Jan Bergemann, President 1156 Tall Oaks Rd. DeLand, FL 32720-1225</p>
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() In order to qualify for membership, I certify that I own a home or condo in Florida!