

Hi-Riser

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Issues are put on hold after legislative session cut short

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When the latest Florida legislative session came to an end following an abrupt adjournment of the state House, some community association advocates rejoiced with the news.

Two proposed legislative bills, which pose significant concerns for the state's community associations, would be delayed.

The two proposals, among them a state

House and Senate bill, would put limits on the rates that associations can charge for services requested by title companies and Real-

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tors. When a property is sold or refinanced, associations often provide "estoppel certificates" and charge fees for that service.

"People are really happy this was defeated," said Lisa Magill, an attorney for Becker & Poliakoff P.A., which represents community associations in South Florida. "Not only were the penalties too harsh, there were some last-minute changes that upset the industry."

While the regular legislative session has ended,

members of the House and Senate recently called for a special session in June, but experts said the bills are unlikely to come up at that time.

"The most likely scenario is that the special session will deal only with the budget," said Yeline Goin, executive director of the Community Association Leadership Lobby, which represents a number of community associations. "CALL has been opposed to these bills throughout the process and is still opposed."

"The bill would have prohibited the association

from asking that the estoppel fee be paid in advance as a condition of providing [it]," said Michael Bender, a lawyer with Kaye Bender Rembaum.

The proposals would have also required the association not be paid the estoppel fee until closing on a property.

"If the closing did not occur, the association may never recover the fee," Bender said.

Bender said he expects the proposals to pop up again at next year's legislative session.