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Pass or Fail?
***Act Now to Prepare your Condominium Association for the New
Condominium Safety Bill***

[\(Click here for full text of Condo. Safety Bill\)](#)

After failing to pass a condominium safety bill after the Surfside tragedy during the regular legislative session, Florida's legislators agreed to a special legislative session. Surprisingly, Florida's House and Senate agreed upon a compromise version of the bill in an extended legislative session. Governor DeSantis signed the bill into law on May 26, 2022.

Although the bill takes effect immediately, its major provisions do not begin to take effect until 2024. While 2024 might seem far into the future, the changes caused by this bill will require all condominiums to begin preparing **now**.

Following are some highlights of the new condo-safety bill (a copy of the bill can be found here):

1. Boards will be prohibited from waiving reserve requirements for structural repairs or from using money in those reserves for other purposes.
2. Structural safety inspections would be required for buildings three stories or higher by the year the building turns 30 and every 10 years afterward.
3. For buildings constructed before July 1, 1992, the first structural inspection must be performed before Dec. 31, 2024.
4. Buildings within three miles of the coast must be inspected before the building reaches age 25 and every 10 years afterward.
5. A report of the inspection's findings must identify any substantial structural deterioration, whether the deterioration is dangerous or unsafe, and whether remedial or preventive repairs are recommended.
6. Condo associations or governing boards must distribute copies of the report to all unit owners.
7. County governments may require commencement of repairs within specified timeframes if a report identifies substantial structural deterioration.
8. Every 10 years, condominium boards must produce studies of the reserve funds required for future repairs of structural integrity components.
9. When a unit is sold, buyers must be told about the history of the condominium association, the reserve requirement, and the present status of the reserve fund.
10. Developers of new buildings will have to fund reserves before transferring control to condominium boards.
11. All structural inspection reports and reserve studies are to be part of the associations' Official Records and must be provided to potential purchasers of a unit.
12. It is a breach of an officer or director's fiduciary duty if the Association fails to complete a Structural Integrity Reserve Study, as necessary.

There are more than 1.5 million condominium units in Florida operated by nearly 28,000 associations, according to a legislative analysis conducted earlier this year, Of those, more than

912,000 are older than 30 years and are the home to more than 2 million residents. However, there are currently only 650 inspectors certified to perform the required inspections.

The state's Division of Florida Condominiums, Timeshares, and Mobile Homes will enforce the bill's new requirements.

Act Now!

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