

COMMUNITY ASSOCIATION LIVING STUDY COUNCIL

February 20, 2009
8:30 a.m. – 12 p.m.

Department of Business and Professional Regulation
Suite 16 Conference Room/Northwood Center
Via teleconference 1.888.808.6959 (Conference Code 9227625)
1940 North Monroe Street
Tallahassee, Florida 32399

Call To Order and Introduction of Attendees

Kevin Stanfield, Deputy Director of the Division of Florida Condominiums, Timeshares, and Mobile Homes called the meeting to order at 8:30 a.m.

Members Present

Mark Benson, Chair
Rosa de la Camara, Vice-Chair
Michael Andrew
Lawrence Wigdor
Kevin Stanfield, ex officio

Division Staff Present

Michael Cochran, Director of the Division of CTMH
James Earl, Arbitration Attorney Supervisor
Debbie Miller, Government Analyst
Jon Peet, Bureau Chief of Compliance
Rudy Prinz, Bureau Chief of Standards and Registration

Guests Present

Colleen Donahue, Interim Condominium Ombudsman

Verification of timely publication of meeting notice in Florida Administrative Weekly.

OVERVIEW OF THE DIVISION

Kevin Stanfield provided an overview of the Division of Florida Condominiums, Timeshares, and Mobile Homes.

DISCUSSION OF SUNSHINE LAW

Kevin Stanfield provided information regarding Florida's Sunshine Law as it pertains to open meetings.

ELECTION OF OFFICERS

Member Benson nominated himself for Chair. Member de la Camara seconded his nomination. Approval by affirmation of all members.

Chair Benson nominated Member de la Camara for Vice-Chair. Member Andrew seconded her nomination. Approval by affirmation of all members.

FUTURE MEETINGS AND NOTICE REQUIREMENTS

- The deadline for submission of meeting notices to the Florida Administrative Weekly (FAW) is each Wednesday at 12 p.m. The Notice will be published in the FAW the Friday of the following week. The Notice must run for seven days.
- Chair Benson recommended that local legislators should be contacted and invited to Council meetings, when a meeting takes place in their area.
- The members agreed to the following future meetings:

March 13; 12 p.m. – 7 p.m. (12-3 p.m. = Workshop; 3-7 p.m. = Public Input) - Tampa

March 16; 8:30 a.m. - 12 p.m. - Tallahassee Teleconference

March 23; 10 a.m. – 4 p.m. - Tallahassee

March 27; 12 p.m. – 7 p.m. – Miami Beach

March 30; 8:30 a.m. – 12 p.m. – Tallahassee Teleconference

ORGANIZATIONAL AND PLANNING ISSUES

A. Future topics for discussion:

- Uniform code – Bring Chapters 718, 719 and 720, Florida Statutes (FS), together so that they have similar content.
- One omnibus bill for all community associations.
- Removing timeshare condominium regulations out of Chapter 718, FS, and having such regulations solely in Chapter 721, FS.
- Adding condominium hotel regulations to Chapter 721, FS.

B. The Council's role:

1. Receive input from the public.

- Chair Benson recommended that each member get information out to the public via electronic mail in order to generate feedback from the public and advertise future meetings.
- The Council is to gather public input and make recommendations, not become a dispute resolution board for aggrieved boards or members.
- Chair Benson requested that Member Stanfield gather information regarding the types of complaints and issues that the Division is receiving.
- Chair Benson would also like Member Stanfield to research whether the Division has email addresses of unit owners, associations, or interested parties throughout the state.
- Chair Benson would like for DBPR employees that work “on the front lines” to be encouraged to provide recommendations to the Council.
- It was suggested that the Council’s link on the Division’s website be included in the advertising material and press releases for the Council’s meeting notices in order to solicit input.

2. Review, evaluate, and advise the Division concerning revisions and adoption of rules affecting condominiums and cooperatives.

3. Recommend improvements, if needed, in the education programs offered by the Division.

- The Division conducts a series of educational seminars throughout the state. The PowerPoint presentations from these seminars will be

forwarded to each member before the next meeting, as well as additional educational materials.

- The Division is using its website to support the development of a private sector model. Currently the Division has listed three private education providers on the Division's website.
- The Bureau of Compliance at times will send staff to individual condominiums to provide education to associations when involved in enforcement cases.
- The Ombudsman's Office provides training classes at Palm Beach College and Broward College. They also provide training to condominium communities when requested by unit owners or boards.

4. Review, evaluate, and advise the Legislature concerning revisions and improvements to the laws relating to condominiums, cooperatives, and homeowners' associations.

C. Emails from the public

- Emails will be forwarded to the Council as they come in. It was agreed that if a member chooses to reply directly to an email, then he or she will do so independently of the Council.

D. Communication amongst members

- Members agreed that all communications intended for review by the members from members should be forwarded to Debbie Miller (Division staff) for distribution to the members.
- Members agreed to not seek input from other members through Debbie regarding Council business, so as to not circumvent the open records law by using a third party intermediary.

E. Pending legislation

- Chair Benson would like to give this year's Legislature a report of the Council's legislative recommendations.
- Member Stanfield will forward to the members any bills that have been filed concerning community associations that were not included on the list given to the members on February 19.
- Members are to provide initial recommendations regarding pending legislation at the March 13 Council meeting.

F. Publicizing meetings

In addition to the press releases and other advertising efforts provided by the Department of Business and Professional Regulation, members are encouraged to use electronic mail to also advertise the Council's meetings.

G. Public Input

- No comments were provided by the public.

MOTION: Member Andrew moved to adjourn the meeting.

SECOND: Vice-Chair de la Camara seconded the motion.

Motion passed unanimously.

The meeting was adjourned at 10:22 a.m.