

Advisory Council on Condominiums  
Stuart City Commission Chambers  
City Hall  
121 S.W. Flagler Avenue  
Stuart, Florida  
March 6 - 7, 2008

Meeting called to Order

Members Present

Chair Mike Andrews  
Vice-Chair Peter Dunbar  
Michael Cochran  
Jane Cornett  
George Geisler  
Gerald Koenig  
Melissa Van Dine

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

MOTION 1: Dunbar, to approve meeting minutes of December 28, 2007  
SECOND: Geisler  
VOTE: Motion carried unanimously.

PUBLIC INPUT

Justin Moran: President of Hanson's Landing Condominium, a 186 unit project. Spoke on section 718.111(11)(c), F.S., that requires a unit owner to insure real or personal property located within the boundaries of the owner's unit which is excluded from the association's coverage. Mr. Moran believes that a small but significant minority of unit owners are foregoing this coverage because they do not want to pay the "going rates" for these policies. Mr. Moran believes that section 718.111(11)(c) should be amended to require unit owners to provide evidence of coverage.

Charles H. Shelton: Unit owner in a 117 unit condominium. Question: Would he now be required to insure his unit if there is no mortgage on the unit? Member Dunbar responded to his question said that the present law requires unit owners to carry insurance coverage.

NEW BUSINESS

Member Dunbar provided an update on bills filed for the 2008 Legislative Session.

Agenda setting for the year: Discussion on what the council should look at. Possible subjects:

- Education was suggested by Member Koenig. Member Cochran provided an update on the current status of CAI contract which is in the final year without re-bidding. Also, funding for this may be cut.

- Member Cochran brought up the issue of hotel condominiums. The division's current interpretation is that projects planned for transient rental as the primary purpose is not jurisdictional. Conversions are always a problem, but the largest volume of complaints is records and financial issues. Members discussed condominium/mobile home parks.
- Deregulation of division's authority.
- Condominium within a condominium.
- Member Dunbar suggested developer sales disclosure issues and a rewrite of section 718.112, F.S.

Chair Andrew wants to readdress these issues tomorrow and select one or two for the upcoming year and address the meeting location issues.

MOTION 2: Dunbar, to recess until 9:00 a.m. on March 7, 2008

SECOND: Cornett

VOTE: Motion carried unanimously.

Meeting reconvened at 9:00 a.m. on March 7, 2008.

Members Present

Chair Mike Andrews  
 Vice-Chair Peter Dunbar  
 Michael Cochran  
 Jane Cornett  
 George Geisler  
 Gerald Koenig  
 Karen Gottlieb-Tysenn  
 Melissa Van Dine

Additional agenda items that might be addressed:

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- Member Tysenn brought up the issue of SLAPP suits.
- Member Koenig suggested more cost effective ways of dispute resolution.
- General discussion on access to records.

MOTION 3: Koenig, to review and rewrite section 718.112, F.S.

SECOND: Tysenn

VOTE: Motion carried unanimously.

Dunbar suggested that a word version of the statute be circulated and e-mailed to all members.

The chair asked that the division circulate the amended version of Rep. Robaina's bill as soon as it is available.

The chair then asked if there were any other issues that the council could focus on:  
Member Cornett suggested the education issue.

Meeting schedule for the year:

Dunbar suggested every other meeting on the phone in Tallahassee, every other on the road.

Need to have a meeting 1st or 2<sup>nd</sup> week in December (possibly the 5<sup>th</sup>), by teleconference in Tallahassee to finalize report.

Tentative Schedule:

May 5<sup>th</sup> Telephone Conference/Tallahassee

June 26<sup>th</sup> North Dade/South Broward (Aventura) check with Rep. Robaina/Broward  
Community College

June 27<sup>th</sup> Islamorada

July 25<sup>th</sup> Telephone Conference/Tallahassee

August 21<sup>st</sup> Pinellas (St. Pete) (6:00 p.m 9:00 p.m.)

August 22<sup>nd</sup> Pinellas area

October 3<sup>rd</sup> Telephone Conference/Tallahassee

November 6<sup>th</sup> St. Augustine area (6:00 p.m. to 9:00 p.m.)

November 7<sup>th</sup> St. Augustine area

December (1st or 2nd week) Telephone Conference/Tallahassee

Member Koenig would like to put something on the website to explain the reasons for holding teleconference meetings: for work sessions and in light of the budget situation.

Discussion on legislative bills SB308 by Constantine and HB679 by Gardner

MOTION 4: Dunbar, to send a letter on SB308, that the section 1 provisions of the bill are inconsistent with the condominium concept and would permit trespass and potential damage to the property of others. It needs to be rewritten to take in the appropriate method for doing this or eliminated from the bill.

SECOND: Cornett

Discussion on the motion: Address damage to property, trespass, and offer to suggest possible language.

VOTE: Motion carried unanimously.

MOTION 5: Dunbar, to adjourn

SECOND: Koenig

VOTE: Motion carried unanimously.