

Advisory Council on Condominiums  
June 29, 2007  
Aventura City Commission  
19200 West Country Club Drive  
Aventura, Florida

Vice-Chair Peter Dunbar called meeting to order at 8:01 a.m.

Members Present

Michael Cochran  
Peter Dunbar, Vice-Chair  
George Geisler  
Karen Tysenn  
Melissa Van Dine  
Paul Wean

Division Staff Present

Kevin Stanfield  
Colleen Donahue  
Carol Windham

Verification of timely publication of meeting notice in Florida Administrative Weekly

MOTION: Member Van Dine, to approve meeting minutes of April 9, 2007  
SECOND: Member Tysenn  
VOTE: Motion carried unanimously

Discussion ensued regarding issues Council wants to address in terms of upcoming legislative session. Member Geisler asked about the draft language that modifies the division's jurisdiction. Vice-Chair Dunbar stated that he would like to know the current DBPR Secretary's thoughts on this issue. Member Cochran stated that he has submitted this idea to Secretary Benson, and has informally suggested to her that the division concentrate on the time while the developer is in control; post turnover, division would retain jurisdiction for financial issues only. Quality of life issues, maintenance issues and the like would be subject to mediation, hopefully freeing up division resources for education and mediation. Vice-Chair Dunbar asks Member Cochran to provide the division's thoughts on this issue, along with the draft language, for discussion at the next meeting.

Discussion ensued regarding a condominium in Tallahassee; the developer declared bankruptcy prior to turnover; ideas to possibly amend section 718.301, F.S., to add developer bankruptcy to turnover triggers, allowing unit owners to control their own association. Vice-Chair Dunbar will prepare draft language on this issue for next meeting.

MOTION: Member Wean, to discuss at next meeting the possible amendment of section 718.301, F.S., adding provision of developer bankruptcy to turnover triggers  
SECOND: Member Geisler  
VOTE: Motion carried unanimously

Discussion ensued regarding reserve thresholds - should it be revisited, and should there be an arbitrary figure or sliding scale? Vice-Chair Dunbar will prepare draft language on this issue for next meeting.

MOTION: Member Tysenn, that Advisory Council look further at reserve threshold issue  
SECOND: Member Geisler  
VOTE: Motion carried unanimously

Discussion regarding Representative Robaina and Villalobos' previous legislation; Member Wean requests that a copy of the Advisory Council's comments on this legislation be sent to each member.

MOTION: Member Tysenn, that the Council offers to work with Robaina and Villalobos in the next 90 days  
SECOND: Member Geisler  
VOTE: Motion carried unanimously

Vice-Chair Dunbar mentioned hotel condominiums; the Real Property Section of the Florida Bar is looking at this issue, and Senator Margolis is reviewing this issue as well.

MOTION: Member Wean, to add hotel condominiums as agenda item for next meeting  
SECOND: Member Tysenn  
VOTE: Motion carried unanimously

If Real Property Section has drafted hotel condominium language drafted prior to the next meeting, Vice-Chair Dunbar will provide copies for the Council's use as a starting point.

Discussion regarding the Home Court Advantage Pilot Program language from 2007 Legislative Session; the legislation was put aside because of some technical difficulties and funding issues. It was felt that this bill will be a priority for the Senate next session. This issue will be added to the agenda for the next meeting.

Discussion ensued regarding insurance issues. Member Wean's draft is reviewed and changes made to draft (see attached draft) and insurance issues will be added to agenda for next meeting. Member Wean will provide version of draft with changes for members to use as starting point at next meeting.

Member Tysenn asked that the minutes reflect that she is against mandatory insurance for unit owners.

Discussion regarding location of next meeting: ideas included Naples, Port St Lucie, St Petersburg, Ft. Pierce, and Clearwater.

MOTION: Member Wean; to hold next meeting in Ft Pierce  
AMENDED MOTION: Member Wean, to hold next meeting in Clearwater  
SECOND: Member Tysenn

VOTE: Motion carried unanimously

Council members discussed meeting in Clearwater on July 27, 2007. Vice-Chair Dunbar stated that if the meeting is held in Clearwater, the Council could invite Representative Ambler to attend to discuss his Home Court Advantage Pilot Program. It is agreed that if the meeting is scheduled for Clearwater, Vice-Chair Dunbar will invite Representative Ambler to attend. If Representative Ambler is able to attend, copies of the latest version of the legislation will be given to members for their use at the meeting.

MOTION: Member Van Dine; to adjourn meeting

SECOND: Member Geisler

VOTE: Motion carried unanimously

Meeting adjourned at 11:49 a.m.