Division of Florida Condominiums, Timeshares & Mobile Homes

An Overview
INTRODUCTION

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  - Ch 720

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   - Compliance Investigations
   - Arbitration Disputes
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   - Assessments/payments
   - Annual fees to the division

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[Amelia Shekitka - June 2012]
BUREAU OF STANDARDS & REGISTRATION OVERVIEW

The main function of the Bureau of Standards & Registration (S&R) is review of filings for compliance with the statutes & rules for condominiums-ch 718, cooperatives-ch 719, timeshares-ch 721 & mobile home parks-ch 723. The reviews are all done exclusively in the Tallahassee office by 15 examiners (Real Estate Development Specialist or REDS), under 3 supervisors.

Our Division has 2 main bureaus: Standards & Registration that handles developer/park owner filings, as well as requests for copies of our records, & also helps Revenue with annual fees; & the Bureau of Compliance that investigates legitimate complaints. Filers begin with S&R - without a filing there can be no proper offers to the public, nor any complaint process.

REVIEW OF FILINGS: A filing comes in to our division, typically by mail on CD for condos & timeshares, by email, mail or fax for coops and mobile home parks. The filing gets imaged in our document management system & set up in our database. The filing is then assigned for review to an examiner by one of 3 supervisors (Rick Crowe for condos, Elliot Palmer for timeshares, & William Eddy for coops & mobile home parks. The examiner reviews the filing within set timeframes for compliance with our statutes & rules, problems are dealt with by notices of deficiency (NODs) between the examiner & the filer, then the examiner approves the filing. The developer/park owner must deliver the approved filing to unit owners/mobile homeowners. ANY change to these documents must be filed with the division as an amendment—for example, a change to a condo or coop's bylaws.

ANNUAL FEES: Developers, associations & park owners are required to pay annual fees to the division each year: $4 per residential unit for condos & coops; $2 per timeshare week or $500 per exchange company; $5 per mobile home lot.

119/COPY REQUESTS: The public can request copies of what we have on file for any condo, coop, timeshare or mobile home park that we regulate; we'll send records free on CD or by email, using Gov QA system.

Division website: www.myfloridalicense.com/condos
"Yellow Rose Condo"

1 Association
1 Board of Directors  Association number

Association mailing address

1 Condominium
1 Declaration of Condominium  Project number (PR)

Physical location of condo

A Standard condo is described as a condo project containing ONLY residential units operated by its own condo association [reference: rule 61B-17.006(12)(a)1]

The documents for this example include:

- 1 Declaration of condominium
- 1 set of Articles of incorporation
- 1 set of Bylaws
- Purchase agreement
- Escrow agreement
- Plot plan
- Floor plan
- Frequently asked questions and answers
- Budget
- Receipt for condo documents
- Any other document specific to a standard, applicable to this specific condo

[Amelia Shekitka - June 2017]
PHASE CONDOMINIUM
Ch 718 FS

"LEISURE WORLD CONDO"

1 Association
1 Board of Directors  Association number
                             Association mailing address
1 Condominium
1 Declaration of Condominium  Project number (PR)
                             Physical location of condo

A Phase condominium is 1 condo project developed in 2 or more phases; the 'initial' phase is submitted when the declaration is recorded and subsequent phases are added later, usually in any order and more than one can be added to the condo at one time. The phases can be alike in style and type, or different; in this example, Phases 1 and 2 are identical residential buildings, Phase 3 is only the recreational facilities (no units). [reference: section 718.403 & rule 61B-17.006(12)(a)5]

The documents for this example include:

- 1 Declaration of condominium
- 1 set of Articles of incorporation
- 1 set of Bylaws
- Plot plans for each phase
- Floor plans for each phase
- Purchase agreement
- Escrow agreement
- Budget for initial phase + budget if all phases added
- Frequently asked questions and answers
- Receipt for condo documents
- Any other document required specific to a Phase, such as the amendment to add phases (record them) to the condominium.

[Amelia Shekitka - June 2017]
MULTICONDOMINIUM
Ch 718 FS

"Easy Living Condo 1"  "Easy Living Condo 2"  "Easy Living Condo 3"  "Easy Living Condo 4"

1 Association
1 Board of Directors  ･････････････････････････････････････････････････････→ Association numbers


Association mailing addresses

4 Condominiums
4 Declarations of Condominium ･･･････････････････････････････････････････････････→ Project numbers (PR)

Physical location of condos

A Multicondominium is described as a condo that is one of possible 2 or more condos under a single condominium association (instead of each having their own association, as in a Group Condo). The individual condos can be any type, so 1 of the 4 shown in this example could be a Standard, one could be a Conversion, another a Phase, and the last another Standard [reference: sections 718.103(2), 718.405 & rule 61B-17.006(12)(a)6].

The documents for this example include:

- 4 Declarations of condominium + any required documents per condo (purchase agreement, escrow agreement, plans, individual & association budgets, etc)
- 1 set of Articles of incorporation
- 1 set of Bylaws
- Frequently asked questions and answers
- Receipt for condo documents
- Any other documents specific to the multicondo

[Amelia Shekitka - June 2017]
MIXED-USE CONDOMINIUM
Ch 718 FS

1 Association
1 Board of Directors --------------- → Association number
                                  → Association mailing address

1 Condominium
1 Declaration of Condominium ------------ → Project number (PR)
                                  → Physical location of condo

A mixed-use condo is described as one condo project containing both residential and commercial (retail, restaurants, etc) units, with certain limitations [reference: sections 718.103(23) & 718.404].

The documents for this example include:
- 1 Declaration of condominium
- 1 set of Articles of incorporation
- 1 set of Bylaws
- Purchase agreement
- Escrow agreement
- Plot plans
- Floor plans
- Frequently asked questions and answers
- Budget
- Receipt for condo documents
- Any other required document, as well as any document specific to a mixed-use condo

[Amelia Shekitka June 2017]
GROUP CONDOMINIUMS
Ch 718 FS

"Easy Living Condo"  "Cool Guy Condo"  "Rosewood Condo"  "Lazy J Condo"

1 Master Association
4 Condo Associations
4 Board of Directors  Association numbers
                      Association mailing addresses
                      /
                      V
4 Condominiums
4 Declarations of Condominium  Project numbers (PR)
                               Physical location of condos

A Group condo is not defined by statute or rule, but described as a condo that is one of possible 2 or more condos each under their own condo association in a development that has more than one condo and perhaps also under a master association. The individual condos can be *any* type, so 1 of the 4 shown in the above example could be a Standard, one could be a Conversion, another a Phase, and the last another Standard.

The documents for *this* example include:

- 4 Declarations of condominium
- 4 sets of Articles of incorporation
- 4 sets of Bylaws
- 4 sets of other required documents, such as purchase agreement, escrow agreement, plans, budget, frequently asked questions and answers, receipt for condo documents, etc
- 1 set of Master Association documents, if applicable

[Amelia Shekitka - June 2017]
LAND CONDOMINIUM
Ch 718 FS

"Your Way Condo"

1. Association
   1. Board of Directors -----------------→ Association number
   I
   I
   I
   1. Condominium
      1. Declaration of Condominium ----------------→ Project number (PR)
   Physical location of condo

A Land condominium is described as a condo in which the residential units consist ONLY of the real property being submitted to condominium ownership [reference: rule 61B-17.006(12)(a)2]

The documents for this example include:

- 1 Declaration of condominium
- 1 set of Articles of incorporation
- 1 set of Bylaws
- Purchase agreement
- Escrow agreement if any structure is part of condo & being constructed
- Plot plan
- Frequently asked questions and answers
- Budget
- Receipt for condo documents
- Any other document specific to a land condominium applicable to the specific condo

[Amelia Shekitka - June 2017]
CONDOMINIUM CONVERSION
Ch 718 FS

"Skyline Apartments"  "La Vie on Rose Condo"

1 Association
1 Board of Directors  Association number
    Association mailing address

1 Condominium
1 Declaration of Condominium  Project number (PR)

A condominium conversion is described as a condominium created when a developer converts existing, previously occupied improvements (apartments, motel, warehouse loft, etc) to the condominium form of ownership. The developer may or may not change or renovate anything; their choice [reference: section 718.606 & rule 61B-17.006(12)(a)4]

The documents for this example include:
- Prospectus (if more than 20 residential units)
- Declaration of condominium
- Articles of incorporation
- Bylaws
- Plot plans
- Floor plans
- Purchase agreement
- Escrow agreement (if substantial construction being done)
- Frequently asked questions and answers sheet
- Receipt for condo documents
- Estimated operating budget
- Any other documents applicable to the condo, such as a management agreement, as well as any documents specific to conversion, such as Conversion inspection report and Termite inspection report

[Amelia Shekitka - June 2017]
PLANNED UNIT DEVELOPMENT
"The Colony at Brentwood by the Bay"

"Easy Living Apts 1"  "Cool Guy Condo"  "Rosewood Condo"  "Easy Living Apts 2"

Pool & Clubhouse  Townhouse  Bella Vida Café  Single-Family  Single-Family

1 Master Association

2 Condo Associations
2 Board of Directors  → Association numbers

2 Condominiums
2 Declarations of Condominium  → Project numbers (PR)
Physical location of condos

(Documentation for all other forms of ownership - not required to be included in filing)

A Planned Unit Development describes a real property development that may contains condominiums & other types of real property ownership, such as single-family dwellings, townhouses, etc, as well as amenities such as pools, restaurants, stores, etc. Ch 718 applies only to those properties that are condominiums [reference: rule 61B-17.006(12)(a)3]

The documents for this example include:

- 2 Declarations of condominium
- 2 set of Articles of incorporation
- 2 set of Bylaws
- 2 sets of budgets, plans, purchase agreements, escrow agreements, frequently asked questions and answers, receipts for condo documents, etc.
- 1 set of Master Association documents

[Amelia Shekitka - June 2017]
TIMESHARE PLAN
Ch 721 FS

"Blue Diamond Timeshare Resort"

1 Timeshare Plan ---------------- Project number (PR)

A Timeshare plan is defined as any arrangement, plan, scheme, or similar device, other than an exchange program, whether by membership, agreement, tenancy in common, sale, lease, deed, rental agreement, license, or right-to-use agreement or by any other means, whereby a purchaser, for consideration, receives ownership rights in or a right to use accommodations, and facilities, if any, for a period of time less than a full year during any given year, but not necessarily for consecutive years. [reference: section 721.05 FS]

Ch 721 FS applies to all timeshare plans consisting of more than 7 timeshare periods over a period of at least 3 years in which the accommodations and facilities, if any, are located within this state or offered within this state.

The documents for this example include, as applicable:

- 1 Public offering statement
- 1 set of Articles of incorporation
- 1 set of Bylaws
- Purchase agreement
- Escrow agreement
- Plot plan
- Floor plans
- Frequently asked questions and answers
- Estimated operating budget
- Any other document specific to the specific timeshare, depending on type, as required by section 721.07 FS

[Amelia Shekitka June 2017]
CONVERSION COOP
Ch 719 FS

"Happy Days Apartments"  "Blue Moon Coop"

1 Association
1 Board of Directors  \rightarrow Association number
                         Association mailing address

V

1 Master Agreement (aka master occupancy agreement, etc)  \rightarrow Project number (PR)

A conversion cooperative is described as a cooperative created when a developer converts existing, previously occupied improvements (typically apartments) to the cooperative form of ownership. The developer may or may not change or renovate anything; their choice. The property is owned by the developer, which sells shares to buyers/unit owners.

The documents for this example include:
- Prospectus (if more than 20 residential units)
- Master Occupancy Agreement (aka Master Form Proprietary Lease, etc)
- Articles of incorporation
- Bylaws
- Plot plans
- Floor plans
- Purchase agreement
- Escrow agreement (if substantial construction being done)
- Frequently asked questions and answers sheet
- Receipt for coop documents
- Budget
- Any other documents applicable to the coop, such as a management agreement, as well as any documents specific to conversion if needed, such as Conversion inspection report and Termite inspection report

[Amelia Shekitka - June 2017]
CONVERSION COOP-MOBILE HOME
(from ch 723 to ch 719)

1 Association
1 Board of Directors → Association number
                 Association mailing address
1 Master Agreement → Project number (PR)

A mobile home park cooperative is typically a coop created when a mobile home park homeowner association (723.075-732.079) purchases a ch 723 park and converts it to the cooperative form of ownership under ch 719 FS. The association may or may not change or renovate anything; their choice. The property is owned by the association (corporation).

Note: Ch 719 FS allows any mobile homeowners still remaining in the new coop, but not owning shares as coop unit owners, to form a new association. This is separate from the cooperative association whose membership is made up of coop shareholders/unit owners. The coop association (corporation) owns the cooperative property.

The documents for this example include:
  o Prospectus (if more than 20 residential units)
  o Master Occupancy Agreement (aka Master Form Proprietary Lease, etc)
  o Articles of incorporation
  o Bylaws
  o Plot plans
  o Floor plans
  o Purchase agreement
  o Escrow agreement (if substantial construction being done)
  o Frequently asked questions and answers sheet
  o Receipt for coop documents
  o Budget
  o Any other documents applicable to the coop, such as a management agreement, as well as any documents specific to conversion if needed, such as Conversion inspection report and Termite inspection report.

[Amelia Shekitka - June 2017]
MOBILE HOME PARK
Ch 723 FS

"Blue Haze Mobile Home Park"

1 Park owner
V
1 Prospectus file (26 or more rental lots)---------------------→ Project number (PR)

A mobile home park under ch 723 is jurisdictional when it contains 10 or more mobile home lots/spaces for rent or lease by the park owner, who leases the lots to mobile homeowners who owns their own mobile homes, & provides documents required by section 723.013 FS, which are not required to be submitted to the division for review.

When there are 26 or more such rental lots, the park owner is required by section 723.012 FS, to file for approval a prospectus document, together with any written rental agreement (may be oral) for a minimum of one year, rules & regulations, & a lot layout/map of the park. The division does not regulate the rental of RV spaces, nor rental of a home/lot package. Ch 513 FS, governs mobile home parks with 5 or more lots as well (Department of Health permits & inspects all mobile home parks in Florida).

The park owner owns & manages the park property.

The documents for this example include:
  o Park owner filing statement (DBPR form, not deliverable to a mobile homeowner)
  o Deed or other instrument showing the ownership of the park property
  o Filing fees for review
  o Prospectus (there are more than 26 rental lots/spaces in this example)
  o Written rental agreement
  o Rules & regulations
  o Lot layout/map of park

NOTE: If the mobile homeowners organize, they may register a ch 723 homeowner association with the Department of State; their HOA has various powers & duties outlined in sections 723.079.

[Amelia Shekitka - June 2017]
## CTMH Timeshare Directory

**If the report is sorted by Managing Entity or Modifier then the Week count will only reflect the group total and not the overall**

<table>
<thead>
<tr>
<th>Location, County</th>
<th>Project Count</th>
<th>Week(s)</th>
<th>Residential Units</th>
<th>Managing Entity Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bay</td>
<td>Total: 9</td>
<td>36,306.00</td>
<td>417</td>
<td>9</td>
</tr>
<tr>
<td>Brevard</td>
<td>Total: 13</td>
<td>46,454.00</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td>Broward</td>
<td>Total: 51</td>
<td>154,351.00</td>
<td>7</td>
<td>37</td>
</tr>
<tr>
<td>Charlotte</td>
<td>Total: 5</td>
<td>6,004.00</td>
<td>0</td>
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<tr>
<td>Collier</td>
<td>Total: 15</td>
<td>28,061.00</td>
<td>47</td>
<td>15</td>
</tr>
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<td>Dade</td>
<td>Total: 8</td>
<td>42,384.00</td>
<td>101</td>
<td>8</td>
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<td>Escambia</td>
<td>Total: 2</td>
<td>2,052.00</td>
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<td>Total: 4</td>
<td>3,744.00</td>
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<td>Highlands</td>
<td>Total: 2</td>
<td>1,928.00</td>
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<td>Indian River</td>
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<td>30,563.00</td>
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<td>Total: 46</td>
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<td>Levy</td>
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<tr>
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<td>Total: 1</td>
<td>1,530.00</td>
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<td>1</td>
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<tr>
<td>Monroe</td>
<td>Total: 31</td>
<td>36,438.00</td>
<td>44</td>
<td>22</td>
</tr>
</tbody>
</table>
# CTMH Timeshare Directory

<table>
<thead>
<tr>
<th>Location, County</th>
<th>Project Count</th>
<th>Week(s)</th>
<th>Residential Units</th>
<th>Managing Entity Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Okaloosa</td>
<td>Total: 9</td>
<td>27,480.00</td>
<td>45</td>
<td>9</td>
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<tr>
<td>Orange</td>
<td>Total: 70</td>
<td>869,573.00</td>
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<td>Osceola</td>
<td>Total: 102</td>
<td>465,486.00</td>
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<td>Palm Beach</td>
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<td>Pasco</td>
<td>Total: 1</td>
<td>51.00</td>
<td>232</td>
<td>1</td>
</tr>
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<td>Pinellas</td>
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<td>52,263.00</td>
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<td>28</td>
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<tr>
<td>Polk</td>
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<td>10,382.00</td>
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<td>Sarasota</td>
<td>Total: 11</td>
<td>18,656.00</td>
<td>25</td>
<td>10</td>
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<td>St. Johns</td>
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<td>18,351.00</td>
<td>79</td>
<td>10</td>
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<td>St. Lucie</td>
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<td>8,886.00</td>
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<td>Volusia</td>
<td>Total: 52</td>
<td>162,280.00</td>
<td>89</td>
<td>46</td>
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<td>Walton</td>
<td>Total: 7</td>
<td>11,852.00</td>
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<td>Foreign</td>
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<td>Out of State</td>
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<td><strong>700</strong></td>
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<td><strong>1,459</strong></td>
<td><strong>591</strong></td>
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### CTMH Active Projects, Associations Declared Units Report

**Project:** 8004  **Year:** ALL  **Sec Status:** ALL  08/07/2017  7:57:16AM

*If the report is sorted by Modifier or Association then the Unit count will only reflect the group total and not the overall total.*

<table>
<thead>
<tr>
<th>County</th>
<th>Project Count</th>
<th>Year/ Units</th>
<th>Association Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bay</td>
<td>1</td>
<td>124</td>
<td>1</td>
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<tr>
<td>Brevard</td>
<td>5</td>
<td>1,126</td>
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<td>Broward</td>
<td>306</td>
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<td>306</td>
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<td>Charlotte</td>
<td>7</td>
<td>1,573</td>
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<tr>
<td>Citrus</td>
<td>2</td>
<td>375</td>
<td>2</td>
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<tr>
<td>Collier</td>
<td>33</td>
<td>3,004</td>
<td>33</td>
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<tr>
<td>Dade</td>
<td>85</td>
<td>2,998</td>
<td>83</td>
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<td>Flagler</td>
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<td>Glades</td>
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<td>Hernando</td>
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<td>Highlands</td>
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</tr>
<tr>
<td>Polk</td>
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**If the report is sorted by Modifier or Association then the Unit count will only reflect the group total and not the overall total.**

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**If the report is sorted by Park Owner then the Lot count will only reflect the group total and not the overall total.**

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**If the report is sorted by Park Owner then the Lot count will only reflect the group total and not the overall total.**

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Grand Total: 2,330 289,743 2,167 1,748 582
QUICK COMPARISON - Chs 718, 719, 721 & 723 FS

Condominium - Ch 718 FS
- Unit owners typically own unit in fee simple, or as leasehold
- Unit owners pay assessments to maintain common elements
- Unit owners have voting rights
- Annual fees to the division = $4 per residential unit

Cooperative - Ch 719 FS
- Cooperative association/corporation owns the property
- Unit owners typically own shares
- Unit owners pay assessments to maintain common areas
- Unit owners have voting rights
- Annual fees to the division = $4 per residential unit

Timeshare plan - Ch 721 FS
- Ownership varies by type
- Unit owners buy a timeshare period
- Unit owners pay assessments to maintain common areas
- Unit owners have voting rights
- Annual fees to the division = $2 per timeshare period

Mobile home park - Ch 723 FS
- Park owner owns the property
- Mobile homeowners rent/lease lots
- Mobile homeowners pay lot rental amount (payment for various fees & services)
- Mobile homeowners have no voting rights, except as members of optional HOA formed under ch 723 FS
- Annual fees to the division = $5 per mobile home rental lot

*Amelia Shekitka June 2017*
DIVISION OF FLORIDA CONDOMINIUMS, TIMEShaRES, AND MOBILE HOMEs

Upcoming Events
Education Events Calendar

**************************************************

ANNOUNCEMENTS
Pay Annual Fees Online
Log in or create an account to pay Annual Billing Fees online.

2017 Legislative Changes
Chapter 2017-22, Laws of Florida
Chapter 2017-93, Laws of Florida
Chapter 2017-122, Laws of Florida
Chapter 2017-161, Laws of Florida

**************************************************
Welcome to the Division of Florida Condominiums, Timeshares, and Mobile Homes.

The mission of the Division of Florida Condominiums, Timeshares, and Mobile Homes is to provide consumer protection for Florida residents living in the communities we regulate through education, complaint resolution, mediation and arbitration, and developer disclosure.

The Division has the power and duty to enforce and ensure compliance with the provisions of the following statutes:

> The Condominium Act, Chapter 718, F.S.
> The Cooperative Act, Chapter 719, F.S.
> The Florida Mobile Home Act, Chapter 723, F.S.
> The Florida Vacation Plan and Timesharing Act, Chapter 721, F.S.
> The Yacht and Ship Brokers Act, Chapter 326, F.S.
> Homeowners' Associations, Chapter 720, F.S. (Jurisdiction limited to arbitration of election and recall disputes)

For information about our regulatory programs, please choose from the Division program links on the left.

**Division Organization**

**Condominium Ombudsman Election Monitor Appointments**

**Annual Report**

**Declaratory Statement Information**

**Rule Promulgation**

**Contact the Division**

**Education Information**

2601 Blair Stone Road, Tallahassee FL 32399 :: Email: Customer Contact Center :: Customer Contact Center: 850.487.1395

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Please see our Chapter 455 page to determine if you are affected by this change.
Amelia Galván Shekitka
Bureau of Standards & Registration
Division of Florida Condominiums, Timeshares, and Mobile Homes
Tallahassee, Florida

Amelia Shekitka has been Chief of the Bureau of Standards & Registration since March 2015. Ms. Shekitka began her tenure with the division in May 1998 as a condominium Real Estate Development Specialist (REDS), then as a REDS supervisor from 2003 to 2015. The Bureau is responsible for the review of offering documents for condominiums, cooperatives, mobile home parks, and timeshare plans.

Prior to her work with the Division, Ms. Shekitka worked with the Florida Department of Financial Services, was a teacher of English as a 2nd language (ESOL), and is bilingual (English/Spanish). Ms. Shekitka holds a degree in Psychology.

Ms. Shekitka has presented seminars and workshops on condominium issues at the University of Miami Law Center’s Condominium & Cluster Housing Institute, as well as workshops on cooperative and mobile home park issues at various locations in the State of Florida as part of her responsibilities with the Division of Florida Condominiums, Timeshares & Mobile Homes.

CONTACT INFORMATION

Amelia Galván Shekitka
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Division of Florida Condominiums, Timeshares & Mobile Homes
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Tallahassee FL 32399-1033

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850.717.1462/Direct
850.921.5448/Fax

Email: amelia.shekitka@myfloridahouse.com
Web: www.myfloridahouse.com/condos

Request public records: