

LEGAL UPDATE

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Introduction

The 2025 Florida Legislative Session began on March 4, bringing important changes for community associations. Many bills focused on safety, governance, and financial responsibility—continuing the state’s response to the 2021 Champlain Towers South tragedy.

One major development was House Bill 913, the “Condominium and Cooperative Bill,” which was signed into law. Spanning 191 pages, it introduces significant updates to the Condominium Act, including changes to governance, financial reporting, and maintenance responsibilities.

To help our clients stay informed and compliant, our firm has created a clear summary of HB 913’s key provisions, along with brief highlights of other impactful bills passed this session.

House Bill 913

Companion Bill Senate Bill 1742
Effective July 1, 2025

CAMS/Conflict of Interest Rules (s.468.432, s. 468.4335, s. 468.436)

- Adds section banning a person who has had their CAM license revoked from having direct/indirect ownership/interest in/employment at a community association management firm for a 10-year period after the effective date of the revocation.
- Prohibits CAMs or CAM firms from knowingly performing acts directed by the association if act violates federal/state law.
- Adds mandatory language to CAM/CAM firm service contracts.
- Tightens the definition of conflict of interest for community association managers and firms, including disclosure of financial ties and requiring multiple bids if potential conflicts arise for contracts over a certain dollar value.
- Removes prior requirements to attach conflict contracts to board meeting agendas but adds mandatory inclusion of conflict details in meeting notices.
- Makes contracts voidable if conflict statute is violated.
- Requires each manager to identify on their online license account which management firm and each onsite community they work for.
- Requires management firms to identify their online licensure account the managers it employs

Power to Manage (s.718.111)

- CAMs/CAM firms servicing associations must possess all licenses required by part VIII of chapter 468.
- It is the board of directors' responsibility to ensure proper licensing requirements are met before entering into a contract.
- Association may terminate contracts with CAM/CAM firm through a written notice if their license is suspended or revoked during the term of the contract with the association.



Operations & Administration

Milestone Inspections (s.553.899)

- Adds the word “habitable [stories]” to the mandatory milestone inspection requirement.
- Professionals bidding on inspections or repairs must disclose any ownership or relationship ties to the firms doing the work.
 - Failure to disclose makes contracts voidable and subjects professionals to discipline.
- Expands reporting requirements by local enforcement agencies on buildings subject to milestone inspections, including completion stats, unsafe designations, and administrator license numbers, giving the local enforcement agency a December 31, 2025, deadline.

Definitions (s.718.103)

- Provides a definition for “video conferencing.”
- Notice for meetings using video conferencing must include a hyperlink and call-in number and must provide a physical location for owners to attend in person.
- All meetings conducted in this format must be recorded, and such recording must be maintained as an official record of the association.
- For condos after July 1, 2025, s. 718.110(4)(6) clarifies that amendments to change size, materially alter appurtenances to unit or change proportion/percentage by which the unit owner shares common expenses need to be approved by affected owners and lienors.

Insurance (s.718.111 (11))

- Every condominium association must maintain “adequate property insurance,” defined specifically in the statute.
- The previous requirement for coverage of “full insurable value, replacement cost, or similar coverage” has been refined: now the determination is based on the replacement cost of the property established by an independent insurance appraisal or an updated prior appraisal.
- Replacement cost must be determined at least once every three years, at a minimum.



Operations & Administration

Official Records (s.718.111(12))

- Expands official records list to include video conferencing meetings where there were approved meetings minutes, which must be maintained for 1 year after the recording is posted. Adds bank statements and ledgers, and all affidavits.
- Unless a shorter period is required, associations required to have a website must post records within 30 days of receipt or creation.
- Associations must also maintain adequate number of copies of the most recent financial statement and annual budget

Financial Reporting (s.718.111 (13))

- Changes financial reporting delivery requirement to owners from “no later than 120 days” to “180 days.”
 - Reporting to owners now includes by email.
- Evidence of compliance with the delivery requirement must be made by an affidavit executed by an association officer/director.
- If approved by a majority vote of all voting interests, associations may prepare certain financial reports.

Investment of Association Funds (s.718.111(16))

- The board of directors can use its best efforts to make prudent investment decisions when managing both operating and reserve funds.
- The board must carefully consider risk and return to maximize returns on invested funds while safeguarding association assets.
- Associations, including multi-condominium associations, are allowed to invest reserve funds in one or any combination of: Certificates of deposit (CDs), depository accounts at community banks, savings banks, commercial banks, savings and loan associations, or credit unions.
- Importantly, they can do this without a vote of the unit owners.

Bylaws (s.718.112)

- Board meetings can be conducted in person or by video conferencing.
- The division must adopt rules governing certain requirements for meetings.
- Unit owner meetings must be held within 15 miles of the condominium property or within the same county as the condominium property.
- Owner and annual meetings may be conducted via video conferencing. However, a quorum of the board must be physically present at the physical location where unit owners can attend.

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Operations & Administration

Budget Meeting (s.718.112(2)(e))

- Board/unit owner meetings at which a proposed annual budget will be considered may be conducted via video conference and must use a sound transmitting device so that conversation may be heard both virtual and in person attendees.
- Proposed annual budgets which require assessments against owners which exceed 115% of assessments for the preceding fiscal year must also simultaneously include a substitute budget for consideration that does not include any discretionary expenditures not required to be in the budget.

Hurricane Protections (s.718.113(5)(d))

- Clarifies that the board must decide who is responsible for the costs of removing or reinstalling hurricane protection if the declaration as originally recorded, or as amended, does not specify who is responsible.

Electronic Voting (s.718.128)

- If at least 25% of voting interests petition the board to adopt electronic voting for the next election, the board must hold a meeting within 21 days to adopt the resolution.
- The board must receive the petition within 180 days after the last scheduled annual meeting.
- If no formal e-voting system is adopted, associations must designate an official email address to receive electronic ballots.
- Unit owners can send ballots to this address without following formal secrecy rules under s. 718.112(2)(d)4.
- Electronically transmitted ballots must include:
 - 1. Unit number.
 - 2. First and last name (serving as the signature).
 - 3. A prominent waiver statement, warning the owner they waive ballot secrecy by voting via email and offering the option to vote in person if they wish to retain secrecy.
- Ballots must be emailed before the scheduled date and time of the meeting where the vote occurs.
- There is a rebuttable presumption that the association has reviewed all folders tied to the designated email address if a board member, officer, manager, or agent provides a sworn affidavit attesting to the review.



Budgets & Reserves

Annual Budget/Reserves (s.718.112(2)(f))

- Increases the reserve threshold from \$10,000 to \$25,000 (or an inflation-adjusted amount determined by the Division, whichever is greater) for any deferred maintenance expense or replacement cost item.
- Allows associations who vote to terminate the condominium to vote to waive the maintenance of reserves recommended by the association's most recent SIRS.
- Reserves for items listed in (g) may be funded by regular assessments, special assessments, lines of credit, or loans.
 - Special assessment/line of credit/loan requires the approval of a majority vote of the association's total voting interests.
- Unit-owner-controlled associations required to complete a SIRS may secure a line of credit/loan to fund capital expenses required by a milestone inspection or SIRS.
 - Must be sufficient to fund the cumulative amount of any previously waiver or unfunded portions of the required reserve funding amount.
 - Funding must be immediately available for access by the board to fund the repair, maintenance or replacement expense without further approval by association members.
 - Must be included in the required annual financial statement.
 - Does not apply to developer-controlled associations in which the non-developer unit owners have been in control for less than 1 year, or an association controlled by bulk assignees/buyers.



Budgets & Reserves

Reserves (s.718.112(2)(f))

- Boards no longer need approval of a majority of its members to pause/reduce funding to its reserves if local building officials determine the building is uninhabitable.
- For budgets adopted on or before December 31, 2028, if the association has completed a milestone inspection within the previous 2 calendar years, the board may temporarily pause or reduce the amount of reserve funding to fund repairs recommended by milestone inspection.
 - Must have approval of a majority of the association's total voting interests.
 - Cannot exceed more than two consecutive annual budgets.
 - Does not apply to a developer-controlled association, associations in which the non-developer unit owners have been in control for less than 1 year, or an association controlled by bulk assignees/buyers.
 - Associations that have paused reserve contributions must have a SIRS performed before the continuation of reserve contributions to determine the association's reserve funding needs.
- Reserve accounts may be pooled for two or more required components.
- Reserve funding for SIRS components can only be pooled with other SIRS components.
- Reserve funding in proposed annual budget must be sufficient to ensure available funds meet or exceed projected expenses for all components in reserve pool based on the reserve funding plan or schedule of the most recent SIRS.
- Vote not required for board to change the accounting method for reserves to a pooling or straight-line method.
- Division must annually adjust inflation based on the Consumer Price Index for All Urban Consumers and must conspicuously post on its website the inflation adjusted minimum threshold amount required.
 - Division has a deadline of February 1, 2026, to complete this requirement and must continue it annually thereafter.



SIRS (s.718.112(2)(g))

- Adds the word “habitable [stories]” to the mandatory SIRS requirement.
- Increases the reserve threshold from \$10,000 to \$25,000 (or an inflation-adjusted amount determined by the Division, whichever is greater) for any deferred maintenance expense or replacement cost item.
- Removes language that a SIRS “may be performed by any person qualified,” specifying all portions of the study must be performed by a licensed engineer, licensed architect or a person certified as a reserve specialist or professional reserve analyst.
- Any design professional (as defined in s. 558.002) or licensed contractor (under Chapter 489) who bids to perform a SIRS must disclose in writing to the association if they intend to bid on any follow-up services related to maintenance, repair, or replacement recommended by the SIRS.
 - These professionals cannot have an ownership interest (direct or indirect) or be related (within the third degree by blood or marriage) to anyone with an ownership interest in the firm performing the SIRS, unless fully disclosed in writing.
- At a minimum, the SIRS must include a recommended funding schedule (based on a baseline plan) ensuring the reserve cash balance stays above zero for each year.
- Any recommended reserves for non-SIRS items must be separately identified in the SIRS.
- SIRS must take into consideration the funding methods used to fund maintenance/reserve funding obligations.
- If the association plans to use special assessments, loans, or credit lines, the SIRS must be updated to reflect how these funding sources impact reserve funding schedules.
- If the association has completed repairs or replacements, the SIRS can be updated to reflect changes in useful life or funding needs.
- Associations must update the SIRS before adopting any budget if the funding sources (regular assessments, special assessments, loans, or credit lines) deviate from the plan outlined in the most recent SIRS.
- For associations existing before July 1, 2022, the initial SIRS must be completed by December 31, 2025, unless coordinated with a milestone inspection. It was changed from December 31, 2024.
- Associations may delay performance of a required SIRS for no more than 2 consecutive budget years immediately following a milestone inspection to allow association to focus on completing repairs/maintenance recommendations of the milestone inspection.
- Officers/directors must sign an affidavit acknowledging receipt of the completed SIRS.
- Division shall adopt by rule the form for the SIRS in coordination with the Florida Building Commission.



DIVISION OF CONDOMINIUM

Condos Created Within Portion of Building (s.718.407)

- Within 60 days after the fiscal year ends, any owner of part of a building not under condominium ownership must provide the association with a complete financial report detailing all shared facility maintenance and operating costs, including copies of all receipts and invoices.
- If the owner fails to provide the report and supporting documents within 60 days, the Division has authority to impose penalties and enforce compliance.
- Within 60 days after receiving the complete financial report, the condominium association may challenge how shared facility costs are apportioned, using the dispute resolution process under s. 720.311.

Division Authority (s.718.501)

- Gives jurisdiction to the division to review additional records and investigate complaints related to such records, including completion of repairs required by milestone inspection, requirement for associations to maintain insurance policy/fidelity bonding for individuals controlling or dispersing association funds, etc.
- Gives jurisdiction to the division to review additional records and investigate complaints related to such records, including completion of repairs required by milestone inspection, requirement for associations to maintain insurance policy/fidelity bonding for individuals controlling or dispersing association funds, etc.
- Requires associations to create/maintain an online account with the division by October 1, 2025.
- Information required may include contact information for directors and CAMS, hyperlink to website, total # of buildings, information on association assessments, name of association's financial institution(s), copy of SIRS and any associated materials requested by the department within 5 business days after such request, in a manner prescribed by the department.
- Once created, division shall provide association at least 45-days notice to provide any additional information. Division may require for associations to provide information no more than once a year.
- The division may adopt rules to implement this subsection as needed.



HOUSE BILL 393

Companion Bill Senate Bill 592
Effective: Upon Becoming Law

My Safe FL Condominium Pilot Program (s.215.55871)

- Amends the definition of “condominium” under the My Safe Florida Condominium Pilot Program (Program) to exclude detached units on individual parcels of land.
- Prohibits a condominium association from applying for an inspection or grant unless the association has complied with the milestone inspection requirements and structural integrity reserve requirements.
- Prohibits a condominium association from applying for an inspection or grant unless the windows of the association property or condominium property are established as common elements in the association’s declaration.
- Provides that at least 75 percent of all unit owners who reside within the structure, rather than 100 percent of unit owners, must approve the application for the grant.
- Clarifies that all grants under the program must be matched on the basis of \$1 provided by the association for every \$2 provided by the state towards the actual cost of the project.
- Revises the roof improvements that are eligible for funding.
- Requires improvements to be identified in the final hurricane mitigation inspection in order for an association to receive grant funds.
- Grant funds may only be awarded for a mitigation improvement that will result in a mitigation credit, discount, or other rate differential for the building or structure to which the improvement is made. As a condition of awarding a grant, the department must require mitigation improvements to be made to all openings, including exterior doors, garage doors, windows, and skylights, if doing so is necessary for the building or structure to qualify for a mitigation credit, discount, or other rate differential.



SENATE BILL 948

Companion Bill House Bill 1015
Effective Date October 1, 2025

Flood Disclosures (s.83.152), s. 718.503

- Requires a landlord of residential rental property to disclose certain information regarding the property and flood risks to prospective tenants.
- A tenant who does not receive the disclosures and who incurs substantial losses or damages due to flooding may terminate the lease and is entitled to refund of advance rents paid.
- Similarly, the bill requires the developer of a condominium or cooperative to disclose information relating to flood risks in a contract for the sale or long-term rental of condominium or cooperative unit.
- Adds a requirement that the seller disclose whether he or she is aware of any flood damage that occurred during his or her ownership.



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