# 2023 AND 2024 LEGAL UPDATES AFFECTING COMMUNITY ASSOCIATIONS SUPPLEMENT TO CAM PRE-LICENSURE TEXTBOOK

Understanding the effect of changes made to the laws and statues affecting community associations is important for future CAMs as well as pre-licensure students preparing for their state exam.

The following chart intends to aid students in knowing what changes have been made in 2023 and 2024. **Note that the majority of changes quote**, paraphrase or summarize the actual language of the revised or new law.

We recommend that students include this information when studying for the state exam because they may affect questions on the exam.

Some of the language, phrases or words reflect how a statute or rule is written into law. Students can ask in class, or reach out to, their instructor after class, or they may contact Laura Matijak, Lead Instructor, CAM Program, if they need clarification. Laura's email is Imatijak@goldcocastschools.com.

Your instructor may suggest ways to include this information into your study materials.

This Chart - Each update is indicated in the chart below by chapter, page, heading and description of changes.

Chapter	Page	Headings & Descriptions of Changes
1	6	Definition of condominium property:
		Add one word to Line #40 (after the word leaseholds): The word "improvements"
2	15 18	Community Association Management CAMs and CAM Firms are required to:
		<ul> <li>Add additional bullets after Line # 26 on page 15</li> <li>Annually attend at least one member meeting or board meeting of the association.</li> <li>Add at Line #16 on page 18</li> <li>Provide the community association members with certain information, including the contact person, contact information, and the hours of availability.</li> <li>Provide to the community's members, upon request, a copy of the contract between the association and the CAM or CAM firm.</li> <li>Provide homeowners with 14-day notice of any changes to manager and firm information that affects that association.</li> </ul>
2	25	Regarding community association managers (CAM):
		Add to "CE Requirements" Line # 40  Annually, complete at least 10 hours of continuing education; and Biennially complete at least five hours of continuing education that pertains to homeowners' associations, three hours of which must relate to recordkeeping.
2	29	Conflicts of Interest – CAMs and CAM Firms
		F.S. 468.4335 was added to chapter 468 Part VIII regarding CAMs and CAM Firms.  Add "F.S. 468.4335 – Conflicts of Interest" at Line # 22:  Provides conflict of interest disclosure requirements and a process for associations to follow when approving contracts with CAMs and CAM firms, or a relative, that may present a conflict of interest. The requirements are similar to the conflicts of interest provisions for condominium associations and their officers and directors, including:  CAM or CAM firm, including directors, officers and person with a financial interest in the CAM firm, or a relative, enters into a contract for goods and services with the association; holds an interest in or receives

## compensation or anything of value from an entity that conducts business with the association or proposes to enter into a contract/transaction with the association. If the association receives and considers a bid to provide a good or service that exceeds \$2,500, other than community association management services, from a CAM or CAM firm, including directors, officers, persons with a financial interest in a CAM firm, or a relative of such persons, the association must also solicit multiple bids from other third-party providers of such good or service. Requiring that the proposed activity that may be a conflict of interest must be listed on, and all contracts and transactional documents related to the proposed activity must be attached to, the board's meeting agenda and entered into the meeting minutes. Requiring the board must approve the contracts with a potential conflict of interest, and all management contracts, by an affirmative vote of two-thirds of all directors present. The existence of a conflict of interest must be disclosed to the members at the next regular or special meeting of the members. Renewal of contract must be noticed and voted on. If the board finds that CAM or CAM firm, including directors, officers and persons with a financial interest in a CAM firm, or relative, has violated this section the association may cancel its contract with the CAM If the contract is canceled, the association is liable only for the reasonable value of the management services provided up to the time of cancellation, and is not liable for termination fees, liquidated damage, or other form of penalty for cancellation. If conflict has not be properly disclosed, the contract is voidable and terminates upon the association filing a written notice terminating the contract with its board which contains the consent of at least 20% of the voting interests of the association. "Relative" means a relative within the third degree of consanguinity by blood or marriage, (spouse, children (1st degree); sibling (2nd degree); and nephew, niece, uncle and aunt (3rd degree). 2 30 Written Request for Detailed Accounting Add a new bullet at Line # 27 (After Official Records) "CAM/CAM Firm shall not:" Fail to provide detailed accounting of any amounts owed to the association within 15 days of a parcel owner's written request. 2 30 Failure to Provide Official Records – Board member or CAM Add "bullets" Line # 27 Repeatedly Failing to Produce Official Records - Misdemeanor. A director or member of the board, or a manager, who knowingly, willfully, and repeatedly fails to provide such official records commits a misdemeanor of the first degree. The term "repeatedly" refers to two or more violations within a twelve-Willfully Failing to Produce Official Records - Felony. If a person willfully and knowingly refuses to release official records with the intent to avoid or escape detection, arrest, trial, or punishment, then it is the equivalent of a felony of the third degree. 2 30 Official Records – CAM and CAM Firms Replace Line # 6 through Line # 17 with the following: Withhold possession of association records. Community association managers (CAMs) and CAM firms must return all community association records in their possession within 20 business days of termination of a services agreement or a written request whichever occurs first. A notice of termination of a contractual agreement to provide community association management services must be sent by certified mail, return receipt requested (unless different manner is required in the contract). The CAM or CAM firm may retain, for up to 20 business days, the records necessary to complete an ending financial statement or report. If the association fails to provide access to or retention of these accounting records to prepare an ending financial statement or report, the CAM or CAM firm is relieved from further responsibility or liability relating to the preparation of the ending financial statement or report. Penalties for failure of a CAM or CAM firm to timely return the official records timely, subject to suspension of its license and a civil penalty of \$1,000 per day up to 10 business days, beginning the 21st business day after termination of the contract or receipt of a written request from the association to return the records, whichever occurs first.

2	31	Disciplinary Proceedings, F.S. 468.436 – CAMs CAB Firms
		Add at Line # 29 -
		The following acts constitute grounds for which the disciplinary actions:
		Violation of any provision of this part.
		Violation of any lawful order or rule rendered or adopted by the department or the council.  Point convicted of a pleading pela controllers to a false via any court in the United States.
		<ul> <li>Being convicted of or pleading nolo contendere to a felony in any court in the United States.</li> <li>Obtaining a license or certification or any other order, ruling, or authorization by means of fraud,</li> </ul>
		misrepresentation, or concealment of material facts.
		<ul> <li>Committing acts of gross misconduct or gross negligence in connection with the profession.</li> </ul>
		<ul> <li>Contracting, on behalf of an association, with any entity in which the licensee has a financial interest that is not disclosed.</li> </ul>
		<ul> <li>Failing to disclose any conflict of interest as required by s. 468.4335. (added 2024).</li> </ul>
		• Violating any provision of chapter 718, chapter 719, or chapter 720 during the course of performing
		community association management
2	32	New Definition for Kickback (F.S. 718.103):
		Add on Line # 27 to definition of Kickback:
		• "Kickback" means anything of service or value for which consideration is not provided, for an officers
		directors', or managers' own benefit, or that of his or her immediate family, from any person providing, or proposing to provide, goods or services to the association. This includes receiving compensation from
		vendor for influencing the board to select that particular vendor or contractor.
2	32	Kickbacks – Condominiums 718.111 - Board Member or CAM
13	331	
		Add on Page 32, Between Line #2 and #3 AND
		Add a "bullet" at Line #29, Chapter 13, Page 331
		• <u>Kickbacks</u> . An officer, director, or manager who knowingly solicits offers to accept, or accepts
		a kickback commits a felony of the 3 <sup>rd</sup> degree and must be removed from office and a vacancy
		declared (a felony of the 3 <sup>rd</sup> degree is punishable up to five years in prison along with monetar penalties up to \$5,000).
3	52	Condominium Ombudsman -
	- J	Change to Line # 4 –
		• The Secretary to the Department of Professional Regulations (DBPR) appoints the Ombudsman
		Delete Line # 9 and Line # 10
4	65	Addition to F.S. 718.104. Condominium in a building:
		Add on Line # 7 "The Declaration of Condominium must contain"  The name by which the condominium property is to be identified, which shall include the word
		"condominium" or be followed by the words "a condominium."
		<ul> <li>Condominiums created within a portion of a building or within a multiple parcel building must include the</li> </ul>
		name by which the condominium is to be identified and be followed by "a condominium within a portion
		a building or within a multiple parcel building."
		For both residential condominiums and mixed-use condominiums, a statement that specifies whether the uni
		owner or the association is responsible for the installation, maintenance, repair, or replacement of hurricane protection that is for the preservation and protection of the condominium property and association property.
4	72	Homeowners Associations – Chapter 2024-202 (HB 59) Effective July 1, 2024:
•		Add "HOA Requirement to Provide Copies of Rules and Covenants" on Line # 41:
		Requires homeowners' associations to provide, before October 1, 2024, a physical or digital copy of the
	1	association's rules and covenants to every member of the association, including new members.

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## SUPPLEMENT TO CAM PRE-LICENSURE TEXTBOOK. 2023 AND 2024 LEGAL UPDATES AFFECTING COMMUNITY ASSOCIATIONS. If the requested records are posted on the association's website, or are available for download through an app on a mobile device, the association may fulfill its obligations to provide access to official records to requesting members, by directing such member or their authorized representative, to the website, or app. 6 115 Websites – Condominiums: Line #31 - Delete "As of January 1, 2019" and Delete "150" or more. Change to read: Effective January 1, 2026, an association managing a condominium with 25 or more units . . . 117 Records for Members – Member Access to Records: 6 Add new heading "Homeowners' Associations" End of page (after Line # 45) Effective January 1, 2026, associations with 100 or more parcels, maintain a digital copy of specified official records for download on the association's website or through an application on a mobile device. Provide a copy of records or otherwise make the records available that are subpoenaed by a law enforcement agency within five days of receiving a subpoena. Maintain official records for at least seven years, unless the governing documents of the association require a longer period of time. 6 118 Members Request for Records Add this information After Line # 47 Requires official records to be provided to the unit owner at no charge if the Division of Condominium, Timeshares, and Mobile Homes (division) within the Department of Business and Professional Regulation (DBPR) **subpoenas** records an association has failed to timely provide in response to a unit owner's written request. 6 119 Written Request for Detailed Accounting Add "Requirement to Provide Accounting" at Line # 33 (After heading HOAs) Allows association parcel owners to make a written request for a detailed accounting of any amounts owed to the association. If the association fails to provide the accounting within 15 business days of a written request, any outstanding fines of the requester are waived if the fine is more than 30 days past due and the association did not give prior written notice of the fines. It also prohibits parcel owners from requesting another detailed accounting within 90 days of the request. 6 127 Fines, Suspensions and Liens Associations must have a hearing before a committee to review a fine or suspension issued by the board, and: Add at Line # 2: Requires the 14-day notice of the parcel owner's right to a hearing to be in writing. Requires the hearing to be held within 90 days of the notice of hearing. Allows the committee to hold the hearing by telephone or other electronic means. Requires written findings related to the violation to be provided within seven (7) days of the hearing, the date the fine must be paid, or the suspension fulfilled. Requires the date by which the fine must be paid to be at least 30 days after delivery of the written notice of the committee's decision; or Prohibits attorney fees and costs based on actions taken by the board before the date set for the fine to Allows that, if a violation and the proposed fine or suspension is not cured or the fine is not paid, reasonable attorney fees and costs may be awarded to the association but may not begin to accrue until after the payment date of the fine or the appeal time has expired. Prohibits homeowners' associations from issuing a fine or suspension for: Leaving garbage receptacles at the curb or end of the driveway less than 24 hours before or after the

designated garbage collection day or time.

		<ul> <li>Leaving holiday decorations or lights up longer than indicated in the governing documents, unless such decorations or lights are left up for longer than one week after the association provides written notice of the violation to the parcel owner.</li> </ul>
		<ul> <li>Also provides that homeowners' associations may not prohibit a homeowner or others from parking:</li> <li>A personal vehicle, including a pickup truck, in the property owner's driveway or in any other area where they have a right to park.</li> </ul>
		<ul> <li>A work vehicle, which is not a commercial motor vehicle, in the property owner's driveway.</li> <li>Their assigned first responder vehicle on public roads or rights-of-way within the homeowners' association.</li> </ul>
		The term "first responder" as used in this section means a law enforcement officer as defined in Section 943.10, Florida Statutes, a firefighter as defined in Section 633.102, Florida Statutes, or an emergency medical technician or paramedic as defined in Section 401.23, Florida employed by state or local government. A volunteer law enforcement officer, firefighter, or emergency medical technician or paramedic engaged by the state or a local government is also considered a first responder of the state or local government for purposes of this section.
		In addition, the governing documents may not prohibit a property owner from:  Inviting, hiring, or allowing entry to a contractor or worker on the owner's parcel solely because the contractor or worker is not on a preferred vendor list of the homeowners' association or does not have a professional or occupational license.
		<ul> <li>Operating a vehicle in conformance with state traffic laws, on public roads or rights-of-way or the property owner's parcel, unless the vehicle is a commercial motor vehicle as defined in Section 320.01 (25) of the Florida Statutes.</li> </ul>
		NOTE: Section 320.01(25), Florida Statutes, " <b>commercial motor vehicle</b> " means any vehicle which is not owned or operated by a governmental entity, which uses special fuel or motor fuel on the public highways, and which has a gross vehicle weight of 26,001 pounds or more, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,001 pounds gross vehicle weight. A vehicle that occasionally transports personal property to and from a closed-course motorsport facility, as defined in s. 549.09(1)(a), is not a commercial motor vehicle if the use is not for profit and corporate sponsorship is not involved.
6	128	Suspension of Voting Rights – Condominium
		For Condominiums: Line # 35 at the end of sentence "member 30 days before such suspension takes effect." ADD -  At least 90 days before an election, an association must notify a unit owner or member that his or her voting rights may be suspended due to a nonpayment of a fee or other monetary obligation.
7	156	Assisting Law Enforcement:
		Add "Assisting Law Enforcement" on Line #20 (Before Squatters)  • Requires associations, if subpoenaed, to provide a copy of the requested records within 5 business days of receiving the subpoena and to assist law enforcement in any investigation to the extent permissible by law.
9	215	Proper Insurance – Condominums 718.111
		Add new heading "Proper Insurance" at Line #25:
		<ul> <li>Upon receipt of a complaint that the association does not maintain proper insurance or fidelity bonding, the division must monitor the association for compliance and may issue fines and penalties.</li> </ul>
9	225	My Safe Florida Condominium Pilot Program
		Add to end of page "My Safe Florida Condominium Pilot Program"
		<ul> <li>Creates the My Safe Florida Condominium Pilot Program (Program) within the Department of Financial Services (DFS), to provide hurricane mitigation inspections and hurricane mitigation grants to eligible condominium associations. Implementation of the Program is subject to annual legislative appropriations.</li> </ul>

# SUPPLEMENT TO CAM PRE-LICENSURE TEXTBOOK. 2023 AND 2024 LEGAL UPDATES AFFECTING COMMUNITY ASSOCIATIONS. Provides, to condominium associations with condominium property within 15 miles of the coastline, a program similar to that of the My Safe Florida Home Program (MSFH) for owners of site-built, singlefamily, residential properties regarding requirements for participation, hurricane mitigation inspectors and inspections, eligibility for mitigation grants, contract management by the DFS, and required annual Places specific limits on grant awards. The limit for roof-related projects is set at \$11 per square foot times the square feet of the replacement roof, limited to \$1,000 per unit, and the maximum grant contribution is limited to 50 percent of the project. The limit for opening protection-related projects grant contribution is a maximum of \$750 per replacement window, not to exceed \$1,500 per unit, and a maximum grant contribution of 50 percent of the project. The bill provides that an association may receive grant funds for both roof-related and opening protection-related projects, but the maximum grant contribution is limited to \$175,000 per association. Provides that the DFS may not accept grant applications or maintain a waiting list for grants after the cumulative value of the grants awarded have fully obligated the appropriation, unless the Legislature provides express authority otherwise. Requires the DFS to adopt rules to govern the program; to govern hurricane mitigation inspections and grants, mitigation contractors, and training of inspectors and contractors; and to carry out its duties under the Program. 10 241 Hurricane Protection - HOAs Add after Hurricane Protection on Line # 19, New heading "HOAs" Requires homeowners' associations, or any architectural, construction improvement, or similar committee (committee) to adopt hurricane protection specifications for each structure or other improvement on a parcel governed by the homeowners' association. The specifications may include the color and style of hurricane protection products and any other factor deemed relevant by the board. All specifications adopted by the homeowners' association must comply with the applicable building code. The bill allows the homeowners' association or committee to require parcel owners to adhere to an existing unified building scheme regarding the external appearance of the structure or other improvement on the parcel. Regardless of any other provision in association governing documents, the homeowners' associations and committees may not deny an application for the installation, enhancement, or replacement of hurricane protection by a parcel owner which conforms to the specifications adopted by the homeowners' association or committee. The term "hurricane protection" is defined to include, but not be limited to, roof systems recognized by the Florida Building Code that meet ASCE 7-22 standards, which are standards adopted by the American Society of Civil Engineers, permanent fixed storm shutters, roll-down track storm shutters, impactresistant windows and doors, polycarbonate panels, reinforced garage doors, erosion controls, exterior fixed generators, fuel storage tanks and other hurricane protection products used to preserve and protect the structures or improvements on a parcel governed by the association. A statement of legislative intent provides that this applies to all homeowners' associations in the state. regardless of when the community was created. NOTE: Additional references – Architectural modification requirements and rules on Page 97 Architectural Control and Page 98 HOA Architectural Control. 10 Hurricane Protection - Condominiums 241 Right After Hurricane Protection – HOAs New heading "Condominiums" -**Definition for Hurricane Protection** "Hurricane protection" means hurricane shutters, impact glass, code-compliant windows or doors, and other code-compliant hurricane protection products used to preserve and protect the condominium property or association property. Revises the requirements for the installation of hurricane protection in a condominium building, including: For both residential condominiums and mixed-use condominiums, a statement that specifies whether the unit owner or the association is responsible for the installation, maintenance.

# SUPPLEMENT TO CAM PRE-LICENSURE TEXTBOOK. 2023 AND 2024 LEGAL UPDATES AFFECTING COMMUNITY ASSOCIATIONS. repair, or replacement of hurricane protection that is for the preservation and protection of the condominium property and association property. Provides a uniform procedure for approval of hurricane protection; and Provides that unit owners are not responsible for the cost of removal and reinstallation of hurricane protection if the removal is necessary to repair condominium property. The board may, with the approval of a majority TVI of the condominium, install or require that unit owners install hurricane protection that complies with or exceeds the applicable building code. A certificate attesting to such membership vote and the date when the hurricane protection must be installed, must be recorded in the public records of the county. Once it is recorded, the board must mail or hand-deliver a copy of the recorded certificate to the unit owners at their official addresses. NOTE: failure to record the certificate in the county's records or to send a copy of the recorded certificate to the unit owners does not affect the validity or the enforceability of the vote of the unit owners. The board may operate hurricane protection without the permission of the unit owners if such operation is necessary to preserve or protect the condominium property or association property. The board shall determine if the removal or reinstallation of hurricane protection must be completed by a unit owner or the association. If by the association, the costs incurred by the association may not be charged to the unit owner. If by the unit owner, the association must reimburse the unit owner for the cost of the removal and reinstallation or the association must apply a credit towards future assessments in the amount of the unit owner's cost to remove and reinstall the protection. When the Cost of Removal and Reinstallation of Hurricane Protection is the financial responsibility of an owner who refuses to pay, charges are enforceable as an assessment and may be collected in accordance with Section 718.116, Florida Statutes (meaning if unpaid the unit can be foreclosed). 10 242 Mandatory Structural Inspections for Condominium and Cooperative Buildings (a/k/a Milestone Inspections) Add to Beginning of Line #44 (before the word "dwellings"): "Four-family" NOTE: Prior to July 1, 2024 the milestone inspections did not apply to a single family, two family or three family dwelling with three or fewer habitable stories above ground. 10 244 Water Intrusion Study - Condominiums Add at end of page – New heading "Florida Building Commission – Water Intrusion Study" The Florida Building Commission is to submit a report by December 1, 2024, to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees and appropriate substantive committees with jurisdiction over F. S. 718, of its review of the standards to prevent water intrusion through the tracks of sliding glass doors. 10 262 Construction Defects – Condominium and Cooperative Association Add on Line #17 -Construction Defects (Statute of Repose) -The statute of limitations and statute of repose for any actions in law or equity which a condominium association or a cooperative association may have shall not begin to run until the unit owners have elected a majority of the members of the board. NOTE: Previously construction defect claims were limited to seven years from the date of the certificate of occupancy and now it is seven years from turnover.

12	310	Electronic Voting
		Add on Line # 28: "Electronic Voting - HOAs  Allows members of a homeowners' association to consent to electronic voting by using an electronic means of consent. (Current law requires written consent to vote electronically).
		<ul> <li>Add "Electronic Voting – "Condominiums and Cooperatives"</li> <li>Provides that if the cooperative and condominium board authorizes online voting, the board must honor a unit owner's request to vote electronically at all subsequent elections, unless the unit owner opts out.</li> <li>Allows cooperative and condominium owners to consent to electronic voting in elections by using an electronic means of consent.</li> <li>Allows cooperative and condominium owners to consent to electronic voting in elections by using an electronic means of consent.</li> </ul>
12	312	Electronic Voting – Condominiums and Cooperatives:
		<ul> <li>This applies to both Condominiums 718.128 and Cooperatives 719.129(4).</li> <li>Add to end of page 312, Replace Line #23 and #24:</li> <li>If the association opted into electronic voting and then subsequently the member opted in to vote electronically, then the board must honor a unit owner's request to vote electronically at all subsequent elections, unless the owner later opts out of electronic voting. In other words, once the association has provided the opportunity to the membership for electronic voting, and the member wants to vote electronically, the association cannot refuse such request. Additionally, the law was clarified to provide that an owner may consent to using on-line voting by email.</li> </ul>
13	323	Education – Officers and Directors (HOAs and Condominiums)
		Revises the education requirements for the directors of homeowners' associations and condominium associations.  Page 323 - Delete Line #17 through Line # 31. Replace it with the following:  Add New Heading - "Director Education – HOAs"  Require a newly elected or appointed director to, within 90 days after being elected or appointment to submit a certificate of having completed the educational curriculum.  The certificate of completion is valid for a up to 4 years.  A director must complete the education specific to newly elected or appointed directors at least every 4 years.  Require that the educational curriculum include training relating to financial literacy and transparency, recordkeeping, levying of fines, and notice and meeting requirements.  Require a director of an association that has:  Fewer than 2,500 parcels to complete at least four hours of continuing education annually.  Z,500 or more parcels must complete at least eight hours of continuing education annually.  Add New Heading – "Director Education – Condominiums and Cooperatives"  Education requirements for the officers and directors of condominium associations:  Additionally, all board members must be certified within 90 days of being elected or appointed to the board but can receive their written certification and education certificate up to one year prior to being elected or appointed to the Board.  The certification is valid for seven years after the date of issuance so long as the director serves on the board without interruption.  The board member certification course must be at least four hours long and provide instructions on milestone inspections, structural integrity reserve studies, elections, record keeping, financial literacy and transparency, levying of fines, and notice and meeting requirements.  A director of an association of a residential condominium who was elected or appointed before July 1, 2024, must comply with the written certification and educational certificate requirements in this subsubparagraph by June 30, 2025.

## SUPPLEMENT TO CAM PRE-LICENSURE TEXTBOOK. 2023 AND 2024 LEGAL UPDATES AFFECTING COMMUNITY ASSOCIATIONS. Each year after being certified, all board members must take continuing education courses and provide a certificate of having satisfactorily completed at least one hour of continuing education relating to recent changes to Chapter 718, Florida Statutes, and related administrative rules during the past year. The association must maintain proof of the written certification and education certificate for seven years after the director's election or the duration of the directors uninterrupted tenure, whichever is longer, however, failure of the association to have the proof of board member certification and proof of educational one hour course certificate on file does not affect the validity of board actions taken. NOTE: A developer-appointed board member may be certified, and such certification is valid for seven years including any interruption of service on the board so that the developer-appointed board member can be appointed to additional project association boards thereafter without having to be recertified. Criminal Violations Related to Homeowners' Associations 13 331 Add at Line # 40 new heading "Criminal Charges (Homeowners' Associations)" Second degree misdemeanor for any director or member of the board or association to knowingly, willfully, and repeatedly violate (two or more violations within a 12-month period) any specified requirements relating to inspection and copying of official records of an association with the intent of causing harm to the association or one or more of its members First degree misdemeanor for knowingly and intentionally defacing or destroying required accounting records, or knowingly and intentionally failing to create or maintain required accounting records, with the intent of causing harm to the association or one or more of its members Third degree felony to willfully and knowingly refuse to release or otherwise produce association records, with the intent to avoid or escape detection, arrest, trial, or punishment for the commission of a crime, or to assist another person with such avoidance or escape and Third degree felony for an officer, director, or manager of a condominium association to knowingly solicit, offer to accept, or accept a kickback. Add new heading "Fraudulent Voting Activity" after Criminal Charges HOA. It is a first-degree misdemeanor for: Knowingly aiding, abetting, or advising a person in the commission of a fraudulent voting activity related to association elections. Agreeing, conspiring, combining, or confederating with at least one other person to commit a fraudulent voting activity related to association elections. Having knowledge of a fraudulent voting activity related to association elections and giving any aid to the offender with intent that the offender avoid or escape detection, arrest, trial, or punishment. Any officer or director charged with a criminal violation under F.S. 720, must be removed from office and a vacancy declared. 14 349 Condominiums – Affecting the Bylaws Add "Quarterly Meetings (Condominiums)" on Line #33 A residential condominium association with more than ten (10) units must meet at least once each quarter. At least four (4) times a year, the meeting agenda must include an opportunity for members to ask questions of the board. 14 360 Right to Ask Questions -At end of Page 360, Add -The right of a member to attend meetings and the right to speak at such meetings, with respect to designated agenda items, now also includes the right to ask questions relating to reports on the status of construction or repair projects, the status of revenues and expenditures during the current fiscal year and other issues affecting the condominium. (Note that there is still not necessarily an obligation to answer such questions) NOTE: Based on this provision, we recommend that students delete the section "General Good and Welfare" from Chapter 14, Page 367, from Line #7 through Line #25. 14 366 Contract Consideration on Agenda - Condominiums

SUPPLEMENT	TO CAIN F	PRE-LICENSURE TEXTBOOK. 2023 AND 2024 LEGAL UPDATES AFFECTING COMMUNITY ASSOCIATIONS
		Add "Contract Consideration on Agenda – Condominium Requirement" on Line #8 -
		<ul> <li>If the condominium association board meeting agenda item relates to the approval of a contract for goods or services, then a copy of the contract must be provided with the meeting notice and be made available for inspection and copying upon a written request from a unit owner or made available on the association's website or through an app.</li> </ul>
15	387	Reserves with Uninhabitable Building - Condominiums
		Add to Line #17 New Heading "Reserves with Uninhabitable Building – Condominiums"
		• If the local building official determines the entire condominium building is uninhabitable due to natural emergency, then the board, upon the approval of a majority of the members, may pause contribution to the reserves or reduce reserve funding until the local building official determines that the condominium building is habitable. Any reserve account funds held by the association may be expended pursuant to the board's determination to make the condominium building and its structures habitable (meaning the reserves can be used for a different purpose without a vote of the members) upon the determination by the local building official that the condominium building is habitable, the association must immediately resume contributing funds to its reserves.
16	406	Debit Cards – Condominiums and HOAs
		<ul> <li>Remove the Note on Lines # 22-29.</li> <li>Delete Line #17 where it reads "Use of a debit card issued in the name of the association or billed then Delete Line # 18 and # 19.</li> <li>Replace with —</li> <li>Any such person who uses a debit card in the name of the association for an expense that is not a lawful obligation of the association commits theft and is punishable under the criminal statutes based upon the amount of money expended.</li> <li>Add "Debit Cards (Homeowners Associations)" to Line #30:</li> <li>An association and its officers, directors, employees, and agents may not use a debit card issued in the name of the association, or billed directly to the association, for the payment of any association expenses.</li> <li>A person who uses a debit card issued in the name of the association, or billed directly to the association, for any expense that is not a lawful obligation of the association commits theft as provided under Section 812.014, Florida Statutes.</li> <li>The term "lawful obligation of the association" means an obligation that has been properly preapproved by the board and is reflected in the meeting minutes or the written budget.</li> </ul>
16	408	Assessments
10	700	Add to Line # 49:
		Permits only simple interest, not compound interest, to accrue on assessments and installments on assessments that are not paid when due.
16	422	Financial Reporting
		Add "1,000 or More Parcels" Line # 24 (Before Based on Revenue)  An association with at least 1,000 must prepare an audited financial statement, regardless of the association's total annual revenue.
16	423	Financial Reporting
		Add to Line # 33 (After Lower Level)     Prohibits associations from reducing the required type of financial statement (compiled, reviewed, or audited financial statements) for consecutive years.