

The Florida Legislature convened on Tuesday, January 11, 2022, for its annual 60-day legislative session. The following are the main bills the Florida Legislature addressed this session.

BUILDING SAFETY

Senate Bill 1702 and House Bill 7069, also known as “Surfside response” legislation, sought to establish a statewide building inspection program, imposing requirements for associations to have periodic reserve studies, significantly limiting associations’ ability to waive funding their reserve accounts, etc. FirstService Residential assisted lawmakers on this legislation by providing information and perspective as House and Senate bill sponsors, and legislative leadership negotiated. Unfortunately, legislators failed to reach an agreement, and these bills failed to pass. Until laws are changed, associations will need to



implement their own best practices, relying on professional advisors and sound judgment.

As building safety remains under the microscope, community associations should also anticipate the insurance and lending industries to be much more thorough in what they require of associations before

issuing insurance policies or offering financing. Fannie Mae and Freddie Mac have added questions around building safety, soundness, structural integrity and deferred maintenance; reserve studies and account balances; and special assessments.

ABATEMENT OF TAXES FOR RESIDENTIAL DWELLINGS RENDERED UNINHABITABLE BY CATASTROPHIC EVENT

House Bill 71 and Senate Bill 568 called for an abatement of property taxes on units lost in the Surfside building collapse. FirstService Residential supported the effort to ensure

surviving owners and their families are exempt from paying a full year of property taxes. This language was included in the tax package, which successfully passed in House Bill 7071.

CONSTRUCTION DEFECT CLAIMS

FirstService Residential developed language that was included in House Bill 583 and Senate Bill 736 to protect the interests of community associations. These bills sought to revise the period of time allowed to pursue litigation relating to construction defects. We worked to ensure changes requested by

the Florida Homebuilders Association did not impact community associations' ability to seek and obtain proper redress for latent and fraudulently concealed defects. Our collective efforts were successful; homebuilders and developers killed the bill.

CHAMPLAIN TOWERS SOUTH MEMORIAL

To honor the 98 lives lost in the building collapse of 2021, FirstService Residential helped to secure a \$1 million allocation in the

state's budget for a memorial dedicated to the victims of the Champlain Towers South tragedy in Surfside.

PROPERTY INSURANCE

As homeowners and community associations continue to seek relief from skyrocketing insurance premiums, legislation intended to alleviate high premiums – Senate Bills 1728 and 1402 – failed to pass. Many policymakers believe the Legislature will convene a special session to address this while also addressing



the continuing trend of insurance carriers leaving Florida, which carriers claim are due to fraud and frivolous lawsuits.

VACATION RENTALS

The session addressed Senate Bill 512 and House Bill 325, requiring advertising platforms to collect and remit taxes for certain transactions. FirstService Residential included language in the vacation rental

legislation to protect associations' ability to regulate short-term rentals through their own policies. These bills failed to pass and will not impact associations.

**The following is a comprehensive list of bills that filed this session,
covering everything from the Condominium Fraud Investion Pilot Program
to Rent Control Measures**

HB 0071 Abatement of Taxes for Residential Dwellings Rendered Uninhabitable by Catastrophic Event (PASSED IN 7071)

HB 0219 Marketable Record Titles to Real Property

HB 0259 Photovoltaic Solar Installations

HB 0267 Swimming Pool Specialty Contracting Services

HB 0321 Condominium Association Transfer Fees

HB 0329 Community Association Databases

HB 0335 Satisfaction of Mortgages

HB 0353 Mortgage Payoff Letters

HB 0375 Professional Structural Engineers (PASSED)

HB 0565 Fes/Professional Structural Engineers

HB 0577 Tenant Safety (PASSED AS 898)

HB 0667 Department of Business and Professional Regulation

HB 325 Vacation Rentals

HB 583 Construction Defect Claims

HB 6017 Rent Control Measures

HB 6033 Preemption of the Regulation of Vacation Rentals

HB 7069 Building Safety

SB 0186 Citizens Property Insurance Corporation

SB 222 Swimming Pool Specialty Contracting Services (PASSED)

SB 0274 Condominium Fraud Investigation Pilot Program

SB 0286 Vacation Rentals

SB 0394 Residential Associations

SB 0512 Vacation Rentals

SB 0518 Residential Home Protection (PASSED)

SB 0568 Abatement of Taxes for Residential Dwellings Rendered Uninhabitable by Catastrophic Event (PASSED IN 7071)

SB 0570 Champlain Towers Condominium Urban Search and Rescue Teams

SB 0578 Hurricane Loss Mitigation Program (PASSED as 837)

SB 0580 Rent Control Measures

SB 0714 Department of Business and Professional Regulation

SB 0736 Construction Defect Claims

SB 0880 Condominium Associations

SB 0898 Tenant Safety

SB 0940 Professional Structural Engineers

SB 0942 Fees/Professional Structural Engineer Licensing

SB 1402: Domestic Surplus Lines Insurers

SB 1702 Building Safety

SB 1728 Property Insurance