

GALT MILE NEWS

THE OFFICIAL PUBLICATION OF THE GMCA



COVER PHOTO: Gabriella Bianchini



JUNE 2014

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2014 OMNIBUS ASSOCIATION BILL

By Eric Berkowitz

Some Perspective

Last year, our District 93 Statehouse Representative George Moraitis teamed with State Senator Thad Altman (R - Melbourne) to pass House Bill 73 (HB 73), the 2013 session's Omnibus Association bill. Broadly supported by association officials and advocates, the legislation repaired a litany of statutory glitches, erased the deadline for a costly elevator retrofit, forged tools to deter foreclosure-related delinquencies, facilitated member records requests while protecting employee privacy rights, simplified approval for 2-year board terms, strengthened condominium financial reporting requirements, approved impact glass windows and doors for hurricane mitigation, clarified recall procedures and provided cooperatives with certain rights and protections historically monopolized by condominiums. Cruising on the momentum of 4 successful Omnibus Association bills in 5 years, after his 2013 work product was signed into law, Moraitis pledged to continue addressing association concerns in this year's session.

Although the 2013 law empowered homeowners in Edgewater Arms, Caribe and the four Coral Ridge Towers cooperatives with rights already enjoyed by their neighbors in Galt Mile condominiums, after meeting with Galt Mile officials, Moraitis agreed to file legislation providing cooperative homeowners with other essential protections heretofore reserved for condominiums. To insure the statewide relevance of his 2014 legislation, Moraitis complemented the feedback received from scores of association officials and homeowners with input from the association advocates who helped facilitate last year's legislation. Once again, they proved to be an invaluable resource, having repeatedly deterred attempts to neuter the bill in Committee (more on that later).

The Gauntlet

On February 4, 2014, Representative George Moraitis

filed House Bill 807 (HB 807). Two days later, Senator Jeremy Ring (D - Broward) filed companion Senate Bill 798 (SB 798) in the other chamber. The bills had a wild ride through the legislative labyrinth, as provisions were altered, added or deleted to elicit committee approval. HB 807 was approved by the House Civil Justice Subcommittee on May 5 by a vote of 12 YEAs vs. 0 NAYs. On May 18, it passed muster in the House Business & Professional Regulation Subcommittee by a vote of 9 YEAs vs. 3 NAYs. The final Statehouse vetting Committee, the House Judiciary Committee, approved the bill on May 27 by a vote of 17 YEAs vs. 0 NAYs. All 3 House vetting Committees approved a Committee Substitute, thereby creating the final enrolled version as CS/CS/CS/HB 807, as the 3 vetting committees technically joined Moraitis as bill sponsors.

In the Senate, Jeremy Ring's companion bill SB 798 passed favorably through the Senate Committee on Regulated Industries on May 6 by a vote of 10 YEAs vs. 0 NAYs. On April 1, it was approved in the Senate Committee on Judiciary by a vote of 9 YEAs vs. 0 NAYs. The Senate Committee on Appropriations, its final hurdle in the Senate, approved the bill on April 24 by vote of 17 YEAs and 0 NAYs. Like its House mirror, vetting committees passed committee substitutes, renaming the bill CS/CS/CS/SB 798. When the House bill was substituted for SB 798 on April 28, the Senate version was "laid on the table", a legislative euphemism for the Big Sleep.

On April 25, the full House unanimously approved HB 807 by a vote of 118 YEAs vs. 0 NAYs. In the session's final days, Moraitis, Ring and bill supporters worked feverishly to synchronize content in the the House and Senate versions, an enrollment prerequisite. After it replaced SB 798 on April 28, HB 807 was unanimously passed in the Senate by a vote of 38 YEAs vs. 0 NAYs. 38 minutes later CS/CS/CS/HB 807 was ordered enrolled and gift wrapped for the Governor. The bill content was assembled by Moraitis - and Ring - from a legislative wish list created by collaborating association officials from across the state and tailored by Community Association advocates. The final enrolled version contains the following provisions:

The Bill (CS/CS/CS/HB 807)

Section 1 - Section 6 - Timeshares and Public Lodging Regulations (F.S. 509.242 - Timeshares)

- Timeshares and Public Lodging Regulations - As public lodging establishments, Timeshares can be subject to state regulation by the Division of Hotels and Restaurants and the Division of Condominiums, Timeshares and Mobile Homes (both divisions are housed in the Department of Business and Professional Regulation). The bill newly defines a "Timeshare Project" as a Florida timeshare property defined in Chapter 721 that is also a transient public lodging establishment. By amending provisions regarding definitions (s. 509.013, F.S.), duties (s. 509.032, F.S.), sanitary regulations (s. 509.221, F.S.), licenses required; exceptions (s. 509.241, F.S.), public lodging establishments; classifications (s. 509.242, F.S.) and license fees (s. 509.251, F.S.), Sections 1 - 6 in the bill distinguish timeshares from the broader category of "vacation rentals".

Continued on page 4

Moraitis and Ring Shepherd Association Bills Through Tallahassee Slaughterhouse.



Section 7 – Marketable Record Title Act and Homeowners Associations (F.S. 712.05 – HOAs)

- **Marketable Record Title Act** - (An initiative of the Florida Bar to clarify existing law) When preserving covenants and restrictions, the bill provides that a homeowners' association (HOA) or clerk is not required to provide additional notice pursuant to Section 712.06(3), F.S., specifically clarifying that the HOA is not required to publish notice in a newspaper "once a week for 2 consecutive weeks" regarding the MRTA preservation.

Section 8 – The Association (F.S. 718.111 – Condominiums)

- **Access to an Abandoned Condominium Unit**

- **Reasons for Entry** - Expanding on Section 718.111(5)(a), F.S., (which gives the association the irrevocable right of access to each unit during reasonable hours, when necessary for the maintenance, repair, or replacement of any common elements, to any portion of a unit maintained by the association pursuant to the declaration, or as necessary to prevent damage to the common elements or to a unit), the bill creates Section 718.111(5)(b)1., providing that whether or not empowered by the declaration or other recorded condominium documents, an association, at the sole discretion of the board, may enter an abandoned unit to: inspect the unit and adjoining common elements; make repairs to the unit or to the common elements serving the unit, as needed; repair the unit if mold or deterioration is present; turn on the utilities for the unit; or otherwise maintain, preserve, or protect the unit and adjoining common elements.

- **Definition** - A unit is presumed to be abandoned if subject of a foreclosure action and no tenant appears to have resided in the unit for at least 4 continuous weeks without prior written notice to the association; or no tenant appears to have resided in the unit for 2 consecutive months without prior written notice to the association, and the association is unable to contact the owner or determine the whereabouts of the owner after reasonable inquiry.

- **Entry Notice** - Except in the case of an emergency, before entry, the association must give at least 2 days' notice of the association's intent to enter the unit, which must be mailed or hand-delivered to the owner at the address of the owner as reflected in the records of the association. The notice may be given by electronic transmission to a unit owner who has consented to receive notice by electronic transmission.

- **Cost Recovery** - The association may recover from the unit owner any costs incurred by the association and place a lien against the unit to enforce collection of the expense.

- **Leasing the Unit** - The association may petition a court of competent jurisdiction to appoint a receiver and may lease an abandoned unit for the benefit of the association to offset association expenses for maintaining, preserving, and protecting the unit and the adjoining common elements, including the costs of the receivership and all unpaid assessments, interest, administrative late fees, costs, and reasonable attorney's fees.

- **Insurance – Responsibility for Damage to the Condominium**

- **Non-Insurable Events** - Amends Section 718.111(11)(j) to clarify that if an item is damaged by something other than an insurable event, the repair or replacement of the item is as provided in the declaration or bylaws.

- **Official Records**

- **Association Directory** - The bill amends s. 718.111(12)(c)5., F.S., providing that although the association can publish multiple phone numbers for a member in a unit owner directory, the number(s) will be excluded upon receipt of a written request by the owner. Also, an owner can consent to the association publishing other contact information (which is not defined).

- **Returning Association Records and Property** - The bill creates s. 718.111(12)(f), F.S., which amends Section 718.111(12) by requiring an outgoing board or committee member to relinquish all official records and property of the association in his or her possession or under his or her control to the incoming board within five days after the election. It authorizes the Division to impose a civil penalty as set forth in s. 718.501(1)(d)6 against an outgoing board or committee member who willfully and knowingly fails to relinquish such records and property.

- **Similar Changes for Cooperatives and HOAs** - The bill makes similar changes to Chapter 719 for Cooperatives regarding the directory and the return of association records and property (in Section 14) and to Chapter 720 for HOAs regarding the directory (in Section 17).

Section 9 – Bylaws (F.S. 718.112 – Condominiums)

- **Meetings of the Board of Directors**

- **Video Conferencing** - Amending s. 718.112(2)(b)5., F.S., the bill provides that board or committee members' participation in a meeting by a telephone, real time video conferencing, or similar real time electronic or video communication counts toward a quorum, and such member may vote as if physically present.

Continued on page 8

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COMMISSIONER BRUCE ROBERTS



As explained on the City website, it is not unusual for residents to experience a slight change in both the taste and smell of the water during this process. The water will remain safe for drinking, cooking, bathing, and other daily needs. For the vast majority of residents, adverse health effects are not expected.

However, while persons currently undergoing dialysis can safely drink chlorinated or chloraminated water, both chlorine and chloramines must be removed from water used in dialysis machines because this water comes into direct contact with blood. Anyone suffering from a compromised immune system can be more susceptible than others to harmful organisms in water. As such, transplant patients and people with AIDS should consult with their health care provider to determine whether the temporary change in disinfection chemistry will affect their treatment.

In addition, residents with a fish tank or pond replenished with city water - including grocery stores and restaurants with lobster tanks and bait shops with fish containers - should contact a pet or aquarium professional to determine the need for any adjustments to their aquarium treatment procedures. Unless neutralized by products readily available from aquarium supply stores, chlorine and monochloramine can be harmful to fish because they directly enter their bloodstream through the gills and block the growth of beneficial bacteria in the fish tank.

*Since it takes approximately two weeks for the chlorine to clear, any perceived changes to the taste and smell may persist through early June. For the balance of Commissioner Roberts' May 2014 constituent update, read on... - [editor]**

FROM COMMISSIONER BRUCE G. ROBERTS
May/June 2014

"District 1 City Commissioner Bruce Roberts opens his May 2014 Newsletter with optimistic news about the falling crime rate, describes Mill Pond Park as the City's "in situ" laboratory for a tech-enhanced sustainable power source, reveals a new email address for Commission meeting input, notes a scheduling change for the Sun Trolley's Galt Mile route, updates progress towards realizing the projected Schlitterbahn Waterpark, announces a cyclical chlorination cleanup of the city's water system, welcomes an improved Lauderserv Citizen Request Management System powered by QAlert technology and applauds a new study that cites Fort Lauderdale as the number 3 municipality in the nation for foreign-born tech entrepreneurs (after Miami and San José, California)."

Whenever the City announces the cyclical temporary return to using free chlorine in the drinking water system, it prompts concerns by some local residents in the affected neighborhoods, who question how altering the chemical mix used to disinfect the system might impact their health and safety. A notice posted on the City website announces that free chlorination will begin at 9 a.m. on Tuesday, May 6 and continue for three weeks until 9 a.m. on Tuesday, May 27. Although the notice also admonishes "some may notice a slight change in the taste or smell of their tap water," it doesn't explain the potential dangers posed to residents with certain pre-existing medical conditions.

The disinfection of our treated water is normally achieved by adding chloramines (commonly formed when ammonia is added to chlorine) at the treatment plants. Although effective and safe, oxidation of the ammonia (nitrification) reduces its effectiveness throughout the distribution system. Since dosing the system with free chlorine reverses the adverse effects of nitrification, Public Works regularly switches from chloramines to free chlorine to maximize its disinfectant impact.

The periodic switch to free chlorine effectively reduces biological re-growth in the distribution system and helps maintain chlorine residual levels at the extremities of the distribution system during the normal chloramine disinfection process. This semi-annual treatment application is prescribed by the Environmental Protection Agency.

Crime: When comparing 2012 with 2013, recently released crime statistics demonstrated a city-wide 3.5% reduction in Part 1 Crimes. In fact, this represents the lowest crime rate since 2007. Although current trends continue to remain positive, we recognize the need to have a stronger impact on the home burglary and juvenile crime problems. This Commission remains committed to public safety as our number one priority.

Sustainable Solutions: Through our city-wide Vision and Strategic Plan, Ft. Lauderdale is building a strong, resilient and sustainable community. Today, our vision is taking shape at Mills Pond Park (2201 NW 9th Ave), home to the City's first wind turbines and electric vehicle charging stations! This exciting green initiative will save energy, conserve natural resources and protect and preserve our environment. The \$221,000 project is being funded by a federal energy efficiency and conservation block grant. The turbines are capable of producing up to 36,000 kW hours of energy per year; will help power the electric vehicle charging stations as well as help offset costs to run field lights and concession building; capable of producing enough energy to power three average-sized homes for an entire year; and capable of supplying enough power for a Chevy Volt to drive 7,200 miles across the entire U.S. and back!

New City Email For Public Comment: A new email has been developed and assigned to the City Clerk for those who wish to make a comment regarding agenda items. You can use the below email 48 hours prior to the Commission Meeting, and get an answer to your question - or allow your comments to be shared with the Commission, City Manager and/or staff. publiccomment@fortlauderdale.gov.

Sun Trolley Route Change in Galt Ocean Area: On April 13th, Sunday service was permanently suspended and replaced with Tuesday service. You can go to <http://www.suntrolley.com> and download the revised timetable.

Schlitterbahn Waterpark Update: A public joint meeting between the Parks, Recreation and Beaches Board and the Aviation Board has been scheduled for May 22 at 1:30 p.m. (Executive Airport, Admin Building, large conference room) to discuss Schlitterbahn leasing space at the Executive Airport site. This is just the first meeting to be held in a series of many. Among other issues, this meeting will discuss the terms and conditions of a potential lease. The project still has to go before the Development Review Committee and the Planning and Zoning Board. After the May 22 meeting, staff and developers will be meeting with the surrounding neighborhoods to get their input.

EASILY REMOVE AND PLACE ON YOUR FRIDGE

SUN

MON

TUE

WED

8 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Weezer
Hard Rock Live, 7 p.m.
Tix.: 954-797-5531

15 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Featured Creatures Father's Day Weekend
Flamingo Gardens
9:30 a.m. to 5 p.m.
Info.: 954-473-2955

22 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Riverwalk Sunday Arts
Esplanade Park along the New River
11 a.m. to 2 p.m.
Info.: 954-468-1541

29 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

6 Las Olas Outdoor Green Market
333 E Las Olas Blvd. & SE 4th Ave.
9 a.m. to 2 p.m.
Info.: 954-426-8436

Sunday Jazz Brunch
Riverwalk, Downtown FL
11 a.m. to 2 p.m.
Info.: 954-396-3622

9

16 Performance Workshop:
Reading/Performing Short Plays
Galt Mile Reading Center
Noon

Commissioner Bruce Roberts:
Pre-Agenda Meeting
Beach Community Center, 6 p.m.

23

30 Performance Workshop:
Reading/Performing Short Plays
Galt Mile Reading Center
Noon

Commissioner Bruce Roberts:
Pre-Agenda Meeting
Beach Community Center, 6 p.m.

7

10 BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

Free Movie: Victor Victoria
Galt Mile Reading Center, 2 p.m.

17 BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-

Free Movie: Life with Father
Galt Mile Reading Center, 2 p.m.

24 BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

Sit and Become Fit: Chair Yoga
Galt Mile Reading Center, 2 p.m.

1 BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

Fort Lauderdale City Commission Meeting
City Hall, 6 p.m.

8 BINGO
Galt Towers Social Room
(4250 Galt Ocean Drive)
7:30 p.m.
Info.: Cyndi Songer: 954-563-7268

11 BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

18 BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

Moonlight Sea Turtle Walks
Museum of Science & Discovery
9 p.m. to 1 a.m.
Info.: 954-713-0930

25 BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

Moonlight Sea Turtle Walks
Museum of Science & Discovery
9 p.m. to 1 a.m.
Info.: 954-713-0930

2 BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

9 BINGO
Regency South Party Room
7 p.m.
Info.: Bob Pearlman: 954-547-4063

JUNE 19: Broward Business Development Workshop (Topic: Polish Your Pitch — Developing an Effective Elevator Speech), Deerfield Beach Percy White Branch, Info.: 954-357-6400

JUNE 21: Fort Lauderdale Hurricane Expo 2014, War Memorial Auditorium, 10 a.m. to 2 p.m., Info.: 954-828-6702

JUNE 21: Stonewall Pride Street Festival, Wilton Manors, Noon to 11 p.m., Info.: 954-561-2020

JUNE 21: Broward Business Loan Seminar Series, Southwest Regional Library (16835 Sheridan St., Pembroke Pines), 10:30 a.m. to Noon, Info.: 954-357-7008

JUNE 21-22: The Science of Martial Arts, Museum of Science and Discovery, Noon to 4 p.m., Info.: 954-713-0930

JUNE 28-29: Republic Ft. Lauderdale, War Memorial Auditorium, Info.: 863-268-4273

JULY 4: Lauderdale-by-the-Sea July 4th Events, El Prado Park, Parade: 10 to 11:30 a.m., Food, Fun, Games & Contests: 11:30 a.m. to 3 p.m., Fireworks: 9 to 9:30 p.m., Info.: 954-640-4252

JULY 4: Old Fashioned Fourth & Collectible Car Show, Flamingo Gardens, 9:30 a.m. to 4:30 p.m., Info.: 954-473-2955

JULY 12-13: The 22nd Annual International Mango Festival, Fairchild Tropical Botanical Gardens, 9:30 a.m. to 4:30 p.m., Info.: www.fairchildgarden.org/events

JULY 17-19: Rapunzel, Broward Center for the Performing Arts, Tix.: 954-462-0222

JUNE/JULY

THU

FRI

SAT

UPCOMING
EVENTS

JULY 13

Fairchild's 15th Annual Mango Brunch
Fairchild Tropical Botanical Gardens, 11 a.m. to 1 p.m.
Info.: www.fairchildgarden.org/events

JULY 18

Starlight Musicals: Weedline (Classic Rock 'n' Roll)
Holiday Park, 7 to 10 p.m.
Info.: 954-828-5363

JULY 25

Starlight Musicals: Tom Jackson (Country)
Holiday Park, 7 to 10 p.m.
Info.: 954-828-5363

JULY 26-27

Buckler's 8th Annual Craft Fair
War Memorial Auditorium
Info.: 386-860-0092

JULY 27

Beach Diving Clinic with Gold Coast Scuba - FREE
Datura Ave Portal, El Mar Drive south of Commercial Blvd.
Info.: 954-616-5909

JULY 31

BugFest Spiny Lobster Chef Cookoff - FREE
Beach Pavilion & Ocean Plaza, LBTS, 6 to 7:30 p.m.
Info.: www.lbtsevents.com

AUGUST 1

Starlight Musicals: The Brass Evolution (Classic Rock 'n' Roll)
Holiday Park, 7 to 10 p.m.
Info.: 954-828-5363

AUGUST 2

Household Hazardous Waste and Electronics Drop-off Event
Mill Pond Park, 9 a.m. to 2 p.m.
Info.: 954-828-4732

AUGUST 20

Michael McDonald and Toto
Hard Rock Live, 7 p.m.
Tix.: 954-797-5531

**FOR A COMPLETE
LISTING OF EVENTS,
GO TO THE
CALENDAR AT
WWW.GALTMILE.COM**

12 Counting Crows with Toad the Wet Sprocket Hard Rock Live 7:30 p.m. Tix.: 954-797-5531	13 Jesus Christ Superstar Arena Spectacular BB&T Center 8 p.m. Tix.: 800-745-3000	14
19 G.M.C.A. Advisory Board Meeting Nick's Italian Restaurant 11 a.m.	20	21 Dig the Beach Volleyball Series (Through 6/22) Ft. Lauderdale Beach Park 7 a.m. to 7 p.m. Info.: 954-446-3955 First Day of Summer
26 Mellow Vibes Festival Mullins Park, Coral Springs 5 to 9 p.m. Info.: 954-603-6095	27 Davie Pro Rodeo for Kids Bergeron Rodeo Grounds, Davie 9 a.m. to Noon Info.: 954-680-8005 X 229	28 Barefoot Wine/ Surfrider Beach Cleanup Meet on the beach in front of Aruba's Beach Café 10 a.m. to Noon RSVP: www.beachrescue2014.com
3	4 <p>July 4th Family Celebration and Fireworks Show</p> <p>Fort Lauderdale Beach Family Activities: 12:30 to 4:30 p.m. DJ Music & Games: 4 p.m. Live Music & Entertainment/Fireworks: 9 to 9:30 p.m. Info.: 954-396-3622</p>	5
10	11 NPC Southern States Championships (Through 7/12) War Memorial Auditorium Info.: 954-763-2718	12 The USA National Boys 14 Clay Court Championships (Through 7/18) Jimmy Evert Tennis Center (Holiday Park) Info.: 954-828-5378

Tuesdays/Saturdays: Sunrise Paddleboard Bonnet House Eco Tour, 928 NE 20 Ave., 10 a.m., Info.: 954-440-4562

Fridays: Aruba Beach Café's Friday Fun Fest Pig Roast, 4 to 7 p.m.

First Saturday of Every Month: Beach Cleanup, Commercial Blvd. & the Beach LBTS (Meet at Pavilion), 9 to 9:30 a.m., Info.: 954-776-1000

First Saturday of Every Month: North Beach Art Walk, 3280 NE 32nd St, 7 to 11 p.m., Info.: 954-537-3370

Second Saturday of Every Month: Beach Sweep, 9 a.m. to 12 p.m., Info.: 954-474-1835

Mondays: Food Trucks at ArtsPark, 5:30 to 10 p.m., Youngs Circle in Hollywood

Sundays: Tour the River Ghost Tour, Stranahan House & Water Taxi, 7:30 p.m., Tix.: 954-524-4736

Saturdays: Saturday Night Under the South Florida Stars, Fox Astronomical Observatory at Markham Park, Sunset to Midnight, Info.: 954-384-0442

Daily: Yoga on the Beach, Ocean Manor Resort (4040 Galt Ocean Dr.), 9:30 a.m. (weather permitting), Mats supplied, \$10 donation, Info.: 754-779-7519 or 516-840-1455.

• **Communicating by E-mail**

◦ **Board Emails** - Amending s. 718.112(2)(c), F.S., the bill includes a provision stating that a board or committee member may use e-mail as a means of communication but may not cast a vote on an association matter via e-mail.

◦ **Meeting Agenda** - Amending s. 718.112, F.S., the bill clarifies the language to provide that if 20 percent of the voting interests within the condominium association petition the board to address an item of business that the Board needs to put such item on its agenda for its next regular or special board meeting within 60 days, but that such meeting does not need to occur within 60 days.

Section 10 - Assessments; liability; lien and priority; interest; collection (F.S. 718.116 - Condominiums)

• **Association Not Considered Previous Owner** - The bill provides that an association that acquires title through foreclosure or by deed in lieu of foreclosure is not considered a previous owner.

• **Present Owner Liability** - A present unit owner's liability for unpaid assessments is limited to any unpaid assessments that accrued before the association acquired title to the delinquent property through foreclosure or by deed in lieu of foreclosure.

Section 11 - Termination of condominium (F.S. 718.117 - Condominiums)

• **Optional Termination Plan** - Amends Section 718.117(9) to provide that if an optional termination plan fails to receive the required approval, the plan shall not be recorded and a new attempt to terminate the condominium may not be proposed at a meeting or by solicitation for joinder and consent for 180 days after the date that such failed plan of termination was first given to all unit owners in the manner as provided in this subsection.

Section 12 - Community Association Living Study Council (F.S. 718.50151 - Condominiums)

• **Council Vote** - On March 7, 2014, the Community Association Living Study Council voted to recommend that the Legislature repeal the Council's enabling statute (s. 718.50151, F.S.)

• **Repeal of Enabling Statute** - The bill repeals Section 718.50151, Florida Statutes, which creates the Community Association Living Study Council.

Section 13 - Bulk Buyers (F.S. 718.707 - Condominiums)

• **Acquisition Deadline Extension** - The bill extends the condominium parcel acquisition deadline from July 1, 2015 to July 1, 2016 for persons to be classified as bulk assignees or bulk buyers.

Section 14 - Access to Units; Records; Financial Reports; Assessments; Purchase of Leases (F.S. 719.104 - Cooperatives)

• **Official Records (F.S. 719.104 - Cooperatives)**

◦ **Association Directory** - The bill amends s. 719.104(2)(c)5., F.S., providing that although the association can publish multiple phone numbers for a member in a parcel owner directory, the number(s) will be excluded upon receipt of a written request by the owner. Also, an owner can consent to the association publishing other contact information (which is not defined).

◦ **Returning Association Records and Property** - The bill creates s. 719.104(2)(e), F.S., which amends Section 719.104(2) by requiring an outgoing board or committee member to relinquish all official records and property of the association in his or her possession or under his or her control to the incoming board within five days after the election. It authorizes the Division to impose a civil penalty as set forth in s. 719.501(1)(d) against an outgoing board or committee member who willfully and knowingly fails to relinquish such records and property.

• **Financial Reporting for Cooperatives (F.S. 719.104 - Cooperatives)**

◦ **Match Audit Deadlines and Thresholds to Condominiums** - The bill increases the cooperative association audit deadlines and thresholds at s. 719.104(4)(a), F.S., to match those of condominiums at s. 718.111(13), F.S.

◦ **Financial Reporting Deadlines** - Amending s. 719.104(4)(a), F.S., the bill provides that within 90 days of the end of the fiscal or calendar year or annually on such date as provided in the association bylaws, the board must prepare and complete a financial report covering the preceding fiscal or calendar year. Within 21 days after the financial report is completed, but no later than 120 days after the end of the fiscal year, calendar year, or other date provided in the bylaws, the association shall provide each member with a copy of the annual financial report or a written notice that a copy of the financial report is available upon request at no charge to the member. The division shall adopt rules setting forth uniform accounting principles, standards, and reporting requirements.

◦ **Revenue Thresholds and Reporting Formats** - Amending s. 719.104(4)(b), F.S., the bill adopts revenue thresholds that determine the type of financial statement needed to satisfy an association's Financial Reporting requirements. Associations with fewer than 50 units (regardless of annual revenues) or with total annual revenues of less than \$150,000 shall prepare a report of cash receipts and expenditures; associations with total annual revenues between \$150,000 and \$299,999 shall prepare compiled financial statements; associations with total annual revenues between \$300,000 and \$499,999 shall prepare reviewed financial statements; associations with total annual revenues of \$500,000 or more shall prepare audited financial statements.

◦ **Expense Classifications; Waive Financial Report; Greater Level of Financial Report; Alternative Financial Reporting Criteria** - The bill also creates s.

719.104(4)(c - e), F.S., which enumerates expense classifications for a report of cash receipts and expenditures; provides for members to waive reporting requirements for not more than 3 years; adopts a vehicle for petitioning the board for a greater level of financial reporting than minimally required by law; provides that a majority of the voting interests may adopt alternative financial reporting criteria and assess such additional costs to the membership. The provisions mirror financial reporting requirements and options already applicable to condominiums.

Section 15 - Board Member Eligibility for Cooperatives (F.S. 719.106 - Cooperatives)

• **Board Candidacy Prohibitions** - Amending s. 719.106(1)(a)2., F.S., the bill matches board candidacy prohibitions in the Condominium Act at s. 718.112(2)(o), F.S., stating that a person who has been suspended or removed by the Division, is delinquent in the payment of any monetary obligation to the association or has criminal charges pending is not eligible to be a candidate. It suspends from office a director or officer who has been indicted with felony theft or embezzlement offense involving the association's property. A felon convicted in Florida or in any United States District Court, or convicted in another jurisdiction of any offense which would be considered a felony if committed in this state, is not eligible for board membership unless such felon's civil rights have been restored for at least 5 years before such person seeks board candidacy.

Continued on page 10



Statehouse Representative George Moraitis



Broward Senator Jeremy Ring

CALL

Association Advocates Grease the Wheels

By Eric Berkowitz

For decades, association homeowners justifiably viewed the legislative process as a despoiling irresistible force that was outside their sphere of influence - like bad weather. While there was no shortage of bills seeking to tax unit owners for some obscure benefit and/or strip them of home rule "for their own good," legislation that was actually favorable to association homeowners was a rare event.

In contrast, during the past five years, four productive Omnibus Association Bills were brought to fruition. Although Statehouse Representative George Moraitis (R - Fort Lauderdale) and several Florida Senators were instrumental in driving this legislative windfall, they wielded a secret weapon. They were assisted by small cadres of association attorneys and lobbyists answerable to a statewide network of association officials (in which the Galt Mile Community Association participates) and funded by association law firms.

A majority of the content in the 2014 Omnibus Association Bill was adopted by sponsors Moraitis and Ring from a legislative agenda created by collaborating association officials from across the state and tailored by their community association advocates. Prior to the Legislative session, these association officials examined the operational pitfalls and regulatory inequities that encumber common interest communities - and characteristically inflate the financial burden on unit owners. With organizational guidance from the lawmakers and advocates who would fight to enact a statutory resolution, the issues were prioritized and compiled into a legislative wish list.

Keeping an inaugural term promise to Galt Mile constituents, District 93 Statehouse Representative George Moraitis annually partners with peers in the Senate to sponsor legislation beneficial to association homeowners. As a consequence, Moraitis has actualized more association rights and protections than any sitting Florida lawmaker. With a sizable association constituency, District 29 Senator Jeremy Ring (D - Broward) also stepped to the plate this year. Turning the wish list into State law during the 2014 session became their shared objective.

To navigate the legislative minefield, Moraitis and Ring teamed with veteran association advocates Donna Berger and Yeline Goin. A former Department of Business and Professional Regulation (DBPR) Senior Attorney, Yeline Goin serves as Executive Director of the Community Association Leadership Lobby (CALL), the association advocacy arm of legal powerhouse Becker & Poliakoff (B&P). Having conceived its operational blueprint ten years ago and nurtured its development into the state's first effective advocacy vehicle dedicated solely to Florida associations, CALL was originally Donna Berger's brainchild. Advocacy networks have since evolved into the most reliable tool available to associations for shaping the statutes that protect their members' homes, families and lifestyle. Although delicate, the technology is childishly simple. At the right time and place, the network will provide lawmakers considering an important association bill with a wealth of information about the proposed statutory resolution and a gentle reminder - that 2 million voters are watching.

The Evolution of Association Advocacy

After joining Becker & Poliakoff in 1992 to practice association law, Berger realized early on that a plethora of legal issues confronting associations were inflamed by obsolete or ill-conceived statutory requirements, while others derived of elephantine vacuums in state law. She also observed that most association bills were knee-jerk punitive reactions to anecdotal horror stories, or bald-faced attempts by service providers, unions or vendors to exploit an untapped fertile market comprised of two million homeowners in common interest communities. Although the bills invariably sought to usurp the right of association homeowners to govern themselves or force them to subsidize certain

products or services, bill sponsors would masquerade their legislation as empowering to association members, relying on the premise that few homeowners would actually read the proposed legislation until after enactment, when the damage was done.

During the 2005 legislative session, a bill was filed in the Statehouse that would have obliterated self-governance and skyrocketed expenses for association unit owners (AKA Condo Killer bill). Awash in angry feedback from association officials in Broward, Palm Beach and Tampa, Berger declared March 30, 2005 "Community Association Day" in the state capitol and scheduled meetings with homeowners and sympathetic legislators. With grudging approval from B&P, Berger chartered a jet to carry over a hundred South Florida association homeowners (21 from the Galt Mile) to Tallahassee, where they were joined by more than 200 others who carpooled or came by bus. Unit and parcel owners swarmed the Statehouse and Senate, meeting with bill sponsors and key lawmakers - some by ambush. Confronted with a seemingly spontaneous invasion by homeowners inflamed to action by the exploitive bill, lawmakers nervously pondered the prospect of similar sentiments epidemically afflicting two million association voters.

On March 31, the next day, Governor Bush's Condominium Advisory Council voted against supporting the bill. Abandoned in committee, Condo Killer subsequently died on the calendar. Although Berger's initiative was again successful in 2006, the strategy suffered from terminal drawbacks. While pleased with the outcome, the founding shareholders in Berger's firm were less enthusiastic about funding round-trip charter flights to the State Capitol. Also, its usefulness was limited to thwarting bad bills. Berger returned to the drawing board.

CALL is Born

Teaming with South Florida and west coast association officials, Berger organized a communication vehicle that enabled association members to monitor, explore and evaluate daily legislative events in Tallahassee, whereby they could prevent damaging bills while supporting beneficial legislation. It worked. When association officials warned their homeowners about predatory bills, thousands of angry emails were directed to the bill sponsors, committee chairs and legislative leaders, who withdrew their support. The strategy's success incentivized participation by associations in central and northeast Florida. Berger's network, the initial version of CALL and a precursor to several subsequent advocacy vehicles, survived its trial by fire.

In 2010, Galt Mile officials asked then Statehouse Representative Ellyn Bogdanoff to file an Omnibus Association bill that would cure dozens of association dilemmas, including the repeal of a mandate to retrofit existing associations with sprinkler systems that would cost unit owners \$millions. Not surprisingly, the original mandate was drafted and backed primarily by the American Fire Sprinkler Association - a trade group that promotes sprinkler sales - and the Plumbers and Pipefitters Union. House Bill 561 (and companion Senate Bill 1196) also postponed the retrofitting of elevators with expensive Phase II modifications and punished speculators who deliberately filed strategic foreclosures to default on their assessments, forcing unit owners to subsidize the deadbeats continued residency. Other bill provisions drew opposition from the powerful Banking and Insurance lobbies, justifiably perceived in Tallahassee as the kiss of death.

Berger and Yeline Goin took off the gloves. When thousands of supportive emails, phone calls and letters from association homeowners swamped legislative leaders and committee chairs, the bill whizzed through both chambers and became State law. Since then, annually improving advocacy networks have played key roles in passing 4 major association bills and adding scores of beneficial provisions to other legislation.

Continued on page 11

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Omnibus...Continued

Section 16 - Emergency Powers for Cooperatives (F.S. 719.128 - Cooperatives)

- **Emergency Powers** - The bill creates s. 719.128, F.S., to give a cooperative association the same emergency powers as a condominium association under s. 718.1265, F.S.

Section 17 - Board Meetings (F.S. 720.303 - HOAs)

- **Board Meeting Accessibility** - Amending s. 720.303(2)(a), F.S., the bill provides that board meetings must be held at a location accessible to a physically handicapped person if requested by a physically handicapped person who has a right to attend the meeting.
- **Association Directory** - Amending s. 720.303(2)(c)5., F.S., bill provides that although the association can publish multiple phone numbers for a member in a parcel owner directory, the number(s) will be excluded upon receipt of a written request by the owner. Also, an owner can consent to the association publishing other contact information (which is not defined).
- **Members Meeting Accessibility** - Amending s. 720.306(1)(a), F.S., the bill provides that members meetings must be held at a location accessible to a physically handicapped person if requested by a physically handicapped person who has a right to attend the meeting.

- **Amendment Notification** - Amending s. 720.306(1)(b), F.S., the bill provides that when HOA members vote to amend the governing documents, in lieu of providing members with a copy of the amendment within 30 days of its being recorded, the association may provide notice to the members that the amendment was adopted, identifying the official book and page number or instrument number of the recorded amendment and that a copy of the amendment is available at no charge to the member upon written request to the association. The described copies and notice may be provided electronically to those owners who previously consented to receive notice electronically.

Section 19 - Emergency Powers for Homeowner Associations (F.S. 720.316 - HOAs)

- **HOA Emergency Powers** - The bill creates s. 720.316, F.S., to give a homeowner association similar emergency powers as a condominium association under s. 718.1265, F.S., except for the right to entry. Condominium and Cooperative associations can enter individual units. The bill does not provide HOAs with a right to entry into individual homes.

Section 20 - Effective Date (Condominiums, Cooperatives, HOAs)

- This act shall take effect July 1, 2014.

Call the Lawyer!!!

Once the bill breezes past the Governor, associations are well advised to contact their association attorneys and inquire as to how their operational protocols are affected by the new law. Although the statutory changes primarily clarify the rights and protections of association homeowners as well as the responsibilities of the association, several plugged loopholes provide associations with an opportunity to save a bundle. If the association's governing board is unaware of these changes, they may unnecessarily burn through YOUR MONEY. Make the call before the July 1, 2014 effective date!!!

What hasn't been discussed is how the legislation was engineered by association officials and powered by multi-talented advocates. As the bills were tap dancing through vetting committees, the advocacy landscape went supernova, yielding a new association network that may be the most formidable in State history. Stay tuned...•

Advocacy Sea Change

Three days after the March 4th opening of the 2014 session, the association advocacy landscape underwent a sea change. Donna Berger returned to B&P after a five-year hiatus in a competing firm. Berger explained, "Becker & Poliakoff is not the same firm I left in 2007. New leadership has reshaped the firm's priorities; their commitment to associations has become unparalleled in Florida." In 2012, as founding principal Gary Poliakoff was burdened by persistent health issues, renowned litigator Gary Rosen took the management reins from retiring co-founder Alan Becker, resolving a growing divide between the firm's old guard and younger managers over operational policies and core philosophy.

In restructuring the legal juggernaut, the new administration launched a campaign to enlarge its footprint by cherry picking proven talent in key regional markets. On October 1, 2012, when Rosen snagged well known association attorneys Jane Cornett and Howard Gooze by absorbing the 4-attorney Stuart law firm of Cornett, Gooze and Associates, P.A., they added 300 Treasure Coast associations to the corporate client role. To bulk up its presence in central and Northeast Florida, on October 15, 2013, B & P announced merging with Taylor & Carls, P.A., a 33-year, 13-attorney association law practice headed by Robert L. Taylor and Harry W. Carls with association clients in Orlando, Tampa and Palm Coast.

The firm's 45-attorney Community Association Law Practice Group is chaired by Ken Direktor, a recent appointee to the prestigious College of Community Association Lawyers. Berger observed that under Direktor's practice protocols, lawyers in the association group had become far more conversant with client concerns, given how benign neglect or speculative legal advice can savage an association budget. In expanding CALL's Tallahassee presence, and fine-tuning lawmaker relationships, Direktor has provided associations with an opportunity to adapt governing statutes to their changing needs, an asset which has yielded extraordinary legislative benefits over the past few years. In complementing Goin's skills with those of Berger, Direktor engineered the State's most formidable association advocacy organization.

Addressing officials from Galt Mile associations at the April 7 Presidents Council meeting in L'Ambiance, Direktor explained that the attorneys in his association practice group also serve as liaisons to the firm's other practice areas, providing client associations with unfettered and inexpensive access to expertise in every relevant legal discipline (construction law, real estate law, etc.). After reviewing the progress of association bills that she or Goin helped craft (and ultimately guided to fruition), Berger told attendees that CALL had evolved into the network she originally envisioned.

Associations needn't become firm clients to participate in CALL. As Berger once admonished the Galt Mile Advisory Board, "Everyone benefits when association laws make sense, including your attorneys." Inviting participation by association activists in condominiums, cooperatives and HOAs from across the State, Direktor assembled an independent Advisory Council to script CALL's legislative agenda. Prior to the Presidents Council presentation, GMCA President and Vice President Pio Ieraci and Eric Berkowitz met with Direktor and Berger to discuss Direktor's strategy for strengthening CALL. While confirming the Advisory Council's central role in defining CALL legislative objectives, Direktor stressed the importance of its unconditional operational independence. When the two GMCA officials reported the meeting's outcome to the Galt Mile Advisory Board, members voted unanimously to endorse Direktor's strategy and authorized Ieraci to represent the Galt Mile on the CALL panel.

Left Field Liability

In February 2014, a month before the Legislative session, Berger and Goin each summarized the issues they elicited from association officials and packaged for Moraitis' impending bill. Among their contributions were protocols for entering, repairing and/or leasing an abandoned condominium unit; a requirement that outgoing

Continued on page 12

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condominium or cooperative board members turn over all association records and property within five (5) days of an election; stronger financial reporting requirements for cooperatives (mirroring those for condominiums passed last year); prohibitions against serving on a cooperative board if suspended by the Division, delinquent in paying assessments or convicted of a felony (as currently applicable to condominiums); allow board or committee members to satisfy quorum requirements by participating in a meeting via Skype or videoconferencing technology (enabling talented snowbirds to more effectively serve on a board); permit board members to communicate, although not vote, by email. More importantly, Berger sought to provide Cooperative and HOA boards with the same emergency powers currently wielded by condominium boards (during a declared state of emergency).

CALL advocates also formulated a statutory resolution to a damaging 2013 court decision. To protect association treasuries from the legal vagaries of title transfers, Section 718.116(1)(a) F.S., states "...a unit owner is jointly and severally liable with the previous owner for all unpaid assessments that came due up to the time of transfer of title," ensuring that monies still due the association from a defaulting previous owner are paid by the new owner (i.e. the purchaser of a foreclosed unit).

A controversial 2013 split decision by the 3rd District Court of Appeals (3DCA) flipped the legislative intent like a pancake. Now, when a unit is frozen in foreclosure by a foot-dragging lender, and the association forecloses its subordinate lien in order to defray interim carrying costs by temporarily leasing the unit, when the lender finally forecloses its superior lien, instead of addressing any unpaid assessments to the association, the third party purchaser can force the association to share the past due obligation.

Since lawmakers never contemplated that an association's only legal remedy to a default would require its brief inclusion in the chain of title, the statute doesn't specifically exempt an association from consideration as a "previous owner". Despite its overt inequity, upon reversing a relevant pro-association lower court decision in *Aventura Management, LLC v. Spiaggia Ocean Condominium Association, Inc.*, Case No. 3D11-2545, the 3DCA held that when the association took interim title to the unit, it assumed joint and several liability for the debt - to itself! Although the legislative intent of the statute was to safeguard the association's receivable, the judges flipped the script, and placed the association at risk for the outstanding debt.

To further muddy the waters a few months later, judges in the same hyperactive court ruled in *Park West Professional Center Condominium Association, Inc. v. Londono*, Case No. 3D13-770 (November 27, 2013) that the financial obligation of titleholders is limited to their debt plus the residual debt of whoever held title immediately before them, ignoring statutory liability for "all unpaid assessments that came due up to the time of transfer of title." Instead of interpreting the law, these playful jurists parboiled the Constitution to write their own.

This judicial bacterium was erased for HOAs last year with the passage of House Bill 7119 by Representative Mike LaRosa. Taking a page from LaRosa's bill, Berger proposed that a condominium association should not be considered a previous owner when it comes to joint and several liability for unpaid assessments.

Conformity: Compromise or the Cornfield?

In addition to crafting a majority of the bills' content, Goin and Berger equipped both bill sponsors with the ammunition required to survive committee bear traps. They quashed attempts to dilute bill provisions, won over recalcitrant lawmakers, simplified complex issues with detailed testimony, kept homeowners in thousands of Florida associations engaged in the process and helped achieve conformity between Moraitis' House bill and Ring's Senate counterpart, a prerequisite to being enrolled - and enacted into law.

Although most discrepancies were ironed out as the two versions were continuously reshaped by vetting committees in both chambers, two major differences dogged the bills throughout the session. Ring's SB 798 would allow the association to recover interest, late charges, and reasonable costs and attorney fees incurred by the association incident to the collection process from purchasers (if at a foreclosure sale, this would be capped at 10% of the winning bid). Secondly, it housed Berger's cure for the enigmatic 3DCA court decisions, providing that an association acquiring title through foreclosure or by deed in lieu of foreclosure would not be considered a previous owner for liability purposes. Although supported by CALL advocates, both provisions were lacking in Moraitis' HB 807.

As the 2014 session waned, Goin and Berger brokered a compromise. On April 23, they asked each law maker for one concession. Moraitis would add Berger's language - inoculating associations against liability as a previous owner following a foreclosure and Ring would purge the provision enabling the recovery of collection costs from his Senate bill - thereby squaring the bill language. With the bills' priority content synchronized, the remaining challenge of adjusting them to last minute amendments was a no-brainer. Absent CALL's critical eleventh hour tweak, instead of heading to the Governor's desk, the legislation would be festering in the cornfield. In short, thanks to Ken Director's A-Team, the new rights and protections will become law on July 1, 2014. •

WINE AND WEALTH WEDNESDAY

HOSTED BY:

Frank Nickey

Associate Vice President -
Financial Advisor
RBC Wealth Management

DATE & TIME:

Wednesday, June 25th

6:00 - 7:30 p.m.

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- 5/5: **Pre-agenda Meeting:** 6 p.m. at the Beach Community Center
- 5/6: **Commission Meetings:** (Conference, Regular)
- 5/14: **Telephone Town Hall Meeting with Commissioner Trantalis:** 7p.m. Call toll-free (855) 269-4484 to join in!
- 5/15: **Meeting regarding parking issues along Commercial Blvd.:** If you are a business owner, please feel free to attend this meeting. Concerns/solutions...let's find a way.
- 5/19: **Pre-agenda Meeting:** 6 p.m.; Imperial Point Hospital, south entrance
- 5/20: **Commission Meetings:** (Conference, Regular)
- 5/22: **Public Joint Meeting (Parks, Recreation and Beach Board/Aviation Board):** 1:30 p.m. at Executive Airport to discuss possible lease of property for water park.
- 6/2: **Pre-agenda Meeting:** 6 p.m. at the Beach Community Center
- 6/3: **Commission Meetings:** (Conference, Regular)
- 6/7: **Household Hazardous Waste & Electronics Drop-Off Events:** 9 a.m. to 2 p.m. at City of Ft. Lauderdale Mills Pond Park (2201 NW 9th Ave). Medication Take Back – safely dispose of unused, unwanted or expired prescription and non-prescription medications for FREE.
- 6/16: **Pre-agenda Meeting:** 6 p.m.; Imperial Point Hospital, south entrance
- 6/17: **Commission Meetings:** (Conference, Regular)

City to Chlorinate Water System (Preventive Maintenance Scheduled for May 6-27, 2014): The City of Fort Lauderdale will temporarily return to using free chlorine in its drinking water system. This preventive maintenance will start at 9 a.m. Tuesday, May 6 and will end at 9 a.m. Tuesday, May 27, 2014. Free chlorination is a common practice for water systems using combined chlorine disinfection. The chlorination period is anticipated to be transparent to water customers; however, some may notice a slight change in the taste or smell of their tap water. Some customers may also see water running from fire hydrants in their neighborhoods, which is part of the normal maintenance process. This procedure will affect the City of Fort Lauderdale, as well as Lauderdale-by-the-Sea, Port Everglades, Village of Sea Ranch Lakes, Wilton Manors, and sections of the Town of Davie, Oakland Park, and Tamarac (east of State Road 7/441). The City of Fort Lauderdale maintains the highest standards to ensure clean, high quality drinking water is delivered to its customers. The City's drinking water meets federal, state and local drinking water quality standards.

Lauderserv in Coming: This exciting new web-based tool, which uses QAlert technology, will be used city-wide to facilitate neighbor requests. With GIS mapping, extensive reporting and a mobile tablet module that will allow employees to access service requests in the field, this program will help our dedicated team of community builders coordinate and expedite resolutions to meet the needs of our neighbors faster than ever. Neighbors will be able to submit new service requests and track the status of existing requests online. In the coming weeks, a companion mobile app will be available for Android and iPhone users. Lauderserv is a streamlined system that will replace other tools currently used to track external inquiries and requests. If you have any questions regarding Lauderserv or how to use the QAlert software, please send an email to CustomerService@fortlauderdale.gov.

South Florida Leads Nation in Growth of Immigrant High-Tech Entrepreneurship, Study Finds (By Nancy Dahlberg, Miami Herald): A new national study released Tuesday by the Ewing Marion Kauffman Foundation found that South Florida has grown faster than all other top metro areas in immigrant tech entrepreneurship. The foundation's research also shows immigrant-owned businesses are more likely to locate in ethnically diverse metro areas that have high foreign-born populations like South Florida. Although the New York, Los Angeles and San Francisco metro areas accounted for about a third of all immigrant high-tech entrepreneurs in the country in 2011, Miami and Fort Lauderdale had the No. 1 and No. 3 highest rates of foreign-born tech entrepreneurs, significantly ahead of tech hubs like San Francisco, New York and Austin, Texas, the report found. San Jose, Calif., was No. 2. Perhaps more significantly, the Miami and Fort Lauderdale metro areas were No. 1 and No. 2 for growth rates of immigrant tech entrepreneurs between 2000 and 2011. Other metros registering strong growth include Atlanta, Chicago, Houston and Washington, D.C. The metros of Silicon Valley – San Francisco and San Jose – did not experience substantial growth. The study,

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"Lessons for U.S. Metro Areas: Characteristics and Clustering of High-Tech Immigrant Entrepreneurs," is based on data from the American Community Survey and looks at 2000-2011 – just before the most recent push to grow tech entrepreneurship in South Florida began. Data is always a bit behind but still, that's a pretty big change, said Gary Painter from the University of Southern California, one of the study's authors. "There is already a high rate of immigrant high-tech workers in your area, and it has had the fastest growth over the past decade. Our model shows high-tech immigrants like to be near other high-tech workers and they like to be near other immigrants so Miami is in a really strong position to capitalize on this trend." Other key findings in the study:

- Eighty percent of immigrant high-tech entrepreneurs operate in the largest 25 metro areas, compared with 57 percent of their U.S.-born counterparts.
- Nationally, immigrants comprised 20 percent of the high-tech work force and 17.3 percent of high-tech entrepreneurs between 2007 and 2011, representing an increase of 13.7 percent and 13.5 percent, respectively, from 2000.
- Nationally, between 2000 and 2011, the number of self-employed immigrants in high-tech industries increased by 64 percent, compared with 22.6 percent for U.S.-born.

Office Contact: Robbi Uptegrove – 954-828-5033; email: ruptegrove@fortlauderdale.gov

In addition to hosting two pre-agenda meetings twice a month, I am also available to attend your HOA meetings to update your neighborhood on what is going on in the City as well as answer any questions/concerns you may have. Please contact Robbi to schedule. •



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- International connections for maximum exposure
 - 140,000 + Realtors Worldwide
 - 7,000 Offices around the world
- Over 2.4 Million user hits per month on the company website
- 50 + National and International Websites & 130 Newspapers

**PUT OUR EXPERTISE AND EXPERIENCE OF A BRANDED FULL SERVICE COMPANY
WITH LOCAL AND GLOBAL PRESENCE TO WORK FOR YOU.**