

MEMORANDUM

Agenda Item No. 11(A)(15)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 4, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact legislation
that would reform the current
laws applicable to condominiums
in a way that promotes both
affordability and safety

Resolution No. R-780-24

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Roberto J. Gonzalez.



Geri Bonzon-Keenan
County Attorney

GBK/gh



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: September 4, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(15)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(15)
9-4-24

RESOLUTION NO. R-780-24

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT LEGISLATION THAT WOULD REFORM THE
CURRENT LAWS APPLICABLE TO CONDOMINIUMS IN A
WAY THAT PROMOTES BOTH AFFORDABILITY AND
SAFETY

WHEREAS, a substantial portion of Florida’s condominiums are located in Miami-Dade
County; and

WHEREAS, for many County residents, condominium ownership represents their
achievement of the American dream; and

WHEREAS, condominiums offer a more affordable ownership option than single family
homes while giving the added benefit of property-wide community; and

WHEREAS, many condominium owners are facing financial hardships as insurance
premiums skyrocket across the State; and

WHEREAS, during special legislative session D in 2022, the Florida Legislature—in
response to the Surfside tragedy and in the hopes of preventing a similar calamity—passed the
well-intentioned but unduly burdensome 2022 Building Safety Bill (SB 4-D); and

WHEREAS, SB 4-D imposed significant financial burdens on condominium owners in a
short timeframe, including a requirement that associations existing on or before July 1, 2022,
which are controlled by unit owners other than the developer, must have a structural integrity
reserve study completed by December 31, 2024, for each building on the condominium property
that is three stories or higher in height; and

WHEREAS, the 2023 Condominium and Coop Safety Law (SB 154) modified the regulations set forth in SB 4-D, but not in a way that adequately relieved the substantial financial burdens that SB 4-D imposed on condominium owners; and

WHEREAS, due to the recent bills imposing new requirements on condominium associations, County residents are now under significant financial pressure, and this Board is concerned that these challenges will intensify the affordability issues facing South Florida in addition to putting many residents with condominiums in untenable financial positions that may force owners to sell their units out of desperation; and

WHEREAS, the impact of these changes is especially felt by seniors, who potentially face large and unaffordable special assessments to finance these new requirements imposed by SB 4-D and SB 154; and

WHEREAS, the Board seeks to urge the Florida Legislature address this potential financial crisis and work in a bipartisan fashion to find a sustainable solution,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact legislation that would reform the current laws applicable to condominiums in a way that promotes both affordability and safety.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and remaining Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the legislative action set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2025 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Roberto J. Gonzalez. It was offered by Commissioner **Marleine Bastien**, who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of September, 2024. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Christian J. Fernandez-Andes