〔111290〕 111290

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2015	.	
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The Committee on Regulated Industries (Latvala) recommended the following:

1   **Senate Amendment to Amendment (363030) (with title**

2 **amendment)**

3

4   Between lines 314 and 315

5 insert:

6   Section 2. Subsection (1) of section 718.1255, Florida

7 Statutes, is amended to read:

8   718.1255 Alternative dispute resolution; voluntary

9 mediation; mandatory nonbinding arbitration; legislative

10 findings.—

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11   (1) DEFINITIONS.—As used in this section, the term

12   "dispute" means any disagreement between two or more parties

13   that involves:

14   (a) The authority of the board of directors, under this

15   chapter or association document to:

16   1. Require any owner to take any action, or not to take any

17   action, involving that owner's unit or the appurtenances

18   thereto.

19   2. Alter or add to a common area or element.

20   (b) The failure of a governing body, when required by this

21   chapter or an association document, to:

22   1. Properly conduct elections.

23   2. Give adequate notice of meetings or other actions.

24   3. Properly conduct meetings.

25   4. Allow inspection of books and records.

26   (c) A plan of termination pursuant to s. 718.117.

27

28   "Dispute" does not include any disagreement that primarily

29   involves: title to any unit or common element; the

30   interpretation or enforcement of any warranty; the levy of a fee

31   or assessment, or the collection of an assessment levied against

32   a party; the eviction or other removal of a tenant from a unit;

33   alleged breaches of fiduciary duty by one or more directors; or

34   claims for damages to a unit based upon the alleged failure of

35   the association to maintain the common elements or condominium

36   property.

37

38   ================ T I T L E   A M E N D M E N T ================

39   And the title is amended as follows:

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40   Delete line 335
41 and insert:
42   of termination; amending s. 718.1255, F.S.; revising
43   the term "dispute"; providing an effective date.