

By Senator Rodriguez

40-00253A-23

2023950\_\_

1                                   A bill to be entitled  
2       An act relating to Resiliency Energy Environment  
3       Florida programs; amending s. 163.08, F.S.; defining  
4       terms; providing that a property owner may apply to a  
5       Resiliency Energy Environment Florida (REEF) program  
6       for funding to finance a qualifying improvement and  
7       may enter into an assessment financing agreement with  
8       a local government; providing that REEF program costs  
9       may be collected as non-ad valorem assessments;  
10      authorizing a local government to enter into an  
11      agreement with a program administrator to administer a  
12      REEF program on the local government's behalf;  
13      revising and specifying public recording requirements  
14      for assessment financing agreements and notices of  
15      lien; revising requirements that apply to local  
16      governments or program administrators in determining  
17      eligibility for assessment financing; revising  
18      requirements for qualifying improvements; revising the  
19      calculation of non-ad valorem assessment limits;  
20      providing construction; specifying underwriting,  
21      financing estimate, disclosure, and confirmation  
22      requirements for program administrators relating to  
23      residential real property; authorizing a residential  
24      real property owner, under certain circumstances and  
25      within a certain timeframe, to cancel an assessment  
26      financing agreement without financial penalty;  
27      specifying limitations on assessment financing  
28      agreement terms for residential real property;  
29      prohibiting certain financing terms for residential

40-00253A-23

2023950\_\_

30 real property; specifying requirements for, and  
31 certain prohibited acts by, program administrators  
32 relating to assessment financing agreements and  
33 contractors for qualifying improvements to residential  
34 real property; specifying additional annual reporting  
35 requirements for program administrators; providing  
36 construction and applicability; conforming provisions  
37 to changes made by the act; providing an effective  
38 date.

39  
40 Be It Enacted by the Legislature of the State of Florida:

41  
42 Section 1. Subsection (16) of section 163.08, Florida  
43 Statutes, is redesignated as subsection (32), a new subsection  
44 (16) and subsections (17) through (31) are added to that  
45 section, and subsections (1), (2), (4), (6) through (10), and  
46 (12), (13), and (14) are amended, to read:

47 163.08 Supplemental authority for improvements to real  
48 property.—

49 (1) (a) In chapter 2008-227, Laws of Florida, the  
50 Legislature amended the energy goal of the state comprehensive  
51 plan to provide, in part, that the state shall reduce its energy  
52 requirements through enhanced conservation and efficiency  
53 measures in all end-use sectors and reduce atmospheric carbon  
54 dioxide by promoting an increased use of renewable energy  
55 resources. That act also declared it the public policy of the  
56 state to play a leading role in developing and instituting  
57 energy management programs that promote energy conservation,  
58 energy security, and the reduction of greenhouse gases. In

40-00253A-23

2023950\_\_

59 addition to establishing policies to promote the use of  
60 renewable energy, the Legislature provided for a schedule of  
61 increases in energy performance of buildings subject to the  
62 Florida Energy Efficiency Code for Building Construction. In  
63 chapter 2008-191, Laws of Florida, the Legislature adopted new  
64 energy conservation and greenhouse gas reduction comprehensive  
65 planning requirements for local governments. In the 2008 general  
66 election, the voters of this state approved a constitutional  
67 amendment authorizing the Legislature, by general law, to  
68 prohibit consideration of any change or improvement made for the  
69 purpose of improving a property's resistance to wind damage or  
70 the installation of a renewable energy source device in the  
71 determination of the assessed value of residential real  
72 property.

73 (b) The Legislature finds that all energy-consuming-  
74 improved properties that are not using energy conservation  
75 strategies contribute to the burden affecting all improved  
76 property resulting from fossil fuel energy production. Improved  
77 property that has been retrofitted with energy-related  
78 qualifying improvements receives the special benefit of  
79 alleviating the property's burden from energy consumption. All  
80 improved properties not protected from wind damage by wind  
81 resistance qualifying improvements contribute to the burden  
82 affecting all improved property resulting from potential wind  
83 damage. Improved property that has been retrofitted with wind  
84 resistance qualifying improvements receives the special benefit  
85 of reducing the property's burden from potential wind damage.  
86 Further, the installation and operation of qualifying  
87 improvements not only benefit the affected properties for which

40-00253A-23

2023950\_\_

88 the improvements are made, but also assist in fulfilling the  
89 goals of the state's energy and hurricane mitigation policies.

90 (c) In order to make qualifying improvements more  
91 affordable and assist property owners who wish to undertake such  
92 improvements, the Legislature finds that there is a compelling  
93 state interest in enabling property owners to voluntarily  
94 finance such improvements with local government assistance.

95 (d)~~(e)~~ The Legislature determines that the actions  
96 authorized under this section, including, but not limited to,  
97 the financing of qualifying improvements through the execution  
98 of assessment financing agreements and the related imposition of  
99 voluntary assessments, are reasonable and necessary to serve and  
100 achieve a compelling state interest and are necessary for the  
101 prosperity and welfare of the state and its property owners and  
102 inhabitants.

103 (2) As used in this section, the term:

104 (a) "Assessment financing agreement" means the financing  
105 agreement, under a REEF program, between a local government and  
106 a property owner for the acquisition or installation of  
107 qualifying improvements.

108 (b)~~(a)~~ "Local government" means a county, a municipality, a  
109 dependent special district as defined in s. 189.012, or a  
110 separate legal entity created pursuant to s. 163.01(7).

111 (c) "Non-ad valorem assessment" or "assessment" has the  
112 same meaning as the term "non-ad valorem assessment" as defined  
113 in s. 197.3632(1)(d).

114 (d) "Nonresidential real property" means any property not  
115 defined as residential real property and which will be or has  
116 been improved by a qualifying improvement. The term includes

40-00253A-23

2023950\_\_

117 multifamily residential property composed of five or more  
118 dwelling units.

119 (e) "Program administrator" means an entity, including, but  
120 not limited to, a for-profit or not-for-profit entity, with  
121 which a local government may contract to administer a REEF  
122 program.

123 (f)~~(b)~~ "Qualifying improvement" includes any:

124 1. Energy conservation and efficiency improvement, which is  
125 a measure to reduce consumption through conservation or a more  
126 efficient use of electricity, natural gas, propane, or other  
127 forms of energy on the property, including, but not limited to,  
128 air sealing; installation of insulation; installation of energy-  
129 efficient heating, cooling, or ventilation systems; building  
130 modifications to increase the use of daylight; replacement of  
131 windows; installation of energy controls or energy recovery  
132 systems; installation of electric vehicle charging equipment;  
133 and installation of efficient lighting equipment.

134 2. Renewable energy improvement, which is the installation  
135 of any system in which the electrical, mechanical, or thermal  
136 energy is produced from a method that uses one or more of the  
137 following fuels or energy sources: hydrogen, solar energy,  
138 geothermal energy, bioenergy, and wind energy.

139 3. Wind resistance improvement, which includes, but is not  
140 limited to:

- 141 a. Improving the strength of the roof deck attachment;  
142 b. Creating a secondary water barrier to prevent water  
143 intrusion;  
144 c. Installing wind-resistant shingles;  
145 d. Installing gable-end bracing;

40-00253A-23

2023950\_\_

146 e. Reinforcing roof-to-wall connections;

147 f. Installing storm shutters; or

148 g. Installing opening protections.

149 (g) "Residential real property" means a residential real  
150 property composed of four or fewer dwelling units which has been  
151 or will be improved by a qualifying improvement.

152 (h) "Resiliency Energy Environment Florida (REEF) program"  
153 means a program established by a local government, alone or in  
154 partnership with other local governments or a program  
155 administrator, to finance qualifying improvements on  
156 nonresidential real property or residential real property.

157 (4) Subject to local government ordinance or resolution, a  
158 property owner may apply to the REEF program ~~local government~~  
159 for funding to finance a qualifying improvement and enter into  
160 an assessment ~~a financing agreement~~ with the local government.  
161 Costs incurred by the REEF program ~~local government~~ for such  
162 purpose may be collected as a non-ad valorem assessment. A non-  
163 ad valorem assessment shall be collected pursuant to s. 197.3632  
164 and, notwithstanding s. 197.3632(8)(a), shall not be subject to  
165 discount for early payment. However, the notice and adoption  
166 requirements of s. 197.3632(4) do not apply if this section is  
167 used and complied with, and the intent resolution, publication  
168 of notice, and mailed notices to the property appraiser, tax  
169 collector, and Department of Revenue required by s.  
170 197.3632(3)(a) may be provided on or before August 15 in  
171 conjunction with any non-ad valorem assessment authorized by  
172 this section, if the property appraiser, tax collector, and  
173 local government agree.

174 (6) A local government may enter into an agreement with a

40-00253A-23

2023950\_\_

175 program administrator to administer a REEF program on behalf of  
176 the local government ~~A qualifying improvement program may be~~  
177 ~~administered by a for-profit entity or a not-for-profit~~  
178 ~~organization on behalf of and at the discretion of the local~~  
179 ~~government.~~

180 (7) A local government may incur debt for the purpose of  
181 providing financing for qualifying ~~such~~ improvements, which debt  
182 is payable from revenues received from the improved property, or  
183 from any other available revenue source authorized under this  
184 section or by other law.

185 (8) A local government may enter into an assessment ~~a~~  
186 financing agreement to finance or refinance a qualifying  
187 improvement only with the record owner of the affected property.  
188 Any assessment financing agreement entered into pursuant to this  
189 section or a summary memorandum of such agreement shall be  
190 submitted for recording ~~recorded~~ in the public records of the  
191 county within which the property is located by the ~~sponsoring~~  
192 ~~unit of~~ local government within 5 days after execution of the  
193 agreement. The recorded agreement shall provide constructive  
194 notice that the assessment to be levied on the property  
195 constitutes a lien of equal dignity to county taxes and  
196 assessments from the date of recordation. A notice of lien for  
197 the full amount of the financing may be recorded in the public  
198 records of the county where the property is located. Such lien  
199 shall not be enforceable in a manner that results in the  
200 acceleration of the remaining nondelinquent unpaid balance under  
201 the assessment financing agreement.

202 (9) Before entering into an assessment ~~a~~ financing  
203 agreement, the local government, or the program administrator

40-00253A-23

2023950\_\_

204 acting on its behalf, shall reasonably determine that all of the  
205 following conditions are met:

206 (a) All property taxes and any other assessments levied on  
207 the same bill as property taxes are current paid and have not  
208 been delinquent for more than 30 days for the preceding 3 years  
209 or the property owner's period of ownership, whichever is less.

210 (b) ~~that~~ There are no involuntary liens greater than  
211 \$1,000, including, but not limited to, construction liens on the  
212 property.

213 (c) ~~that~~ No notices of default or other evidence of  
214 property-based debt delinquency have been recorded and not  
215 released during the preceding 3 years or the property owner's  
216 period of ownership, whichever is less.

217 (d) The local government or program administrator has asked  
218 the property owner whether any other assessments under this  
219 section have been recorded or have been funded and not yet  
220 recorded on the property. The failure of a property owner to  
221 disclose information set forth in this paragraph does not  
222 invalidate an assessment financing agreement or any obligation  
223 thereunder, even if the total financed amount of the qualifying  
224 improvements exceeds the amount that would otherwise be  
225 authorized under paragraph (12) (a).

226 (e) ~~and that~~ The property owner is current on all mortgage  
227 debt on the property.

228 (f) The residential property is not subject to an existing  
229 home equity conversion mortgage or reverse mortgage product.  
230 This paragraph does not apply to nonresidential real property.

231 (g) The property is not currently a residential property  
232 gifted to a homeowner for free by a nonprofit entity as may be

40-00253A-23

2023950\_\_

233 disclosed by the property owner. The failure of a property owner  
234 to disclose information set forth in this paragraph does not  
235 invalidate an assessment financing agreement or any obligation  
236 thereunder. This paragraph does not apply to nonresidential real  
237 property.

238 (10) Before final funding may be provided, a qualifying  
239 improvement ~~must shall~~ be affixed or planned to be affixed to a  
240 nonresidential real property or residential real ~~building or~~  
241 facility that is part of the property and constitutes shall  
242 constitute an improvement to that property the building or  
243 facility or a fixture attached to the building or facility. An  
244 assessment financing agreement may between a local government  
245 and a qualifying property owner may not cover qualifying wind-  
246 resistance improvements on nonresidential real property under  
247 new construction or residential real property ~~in buildings or~~  
248 facilities under new construction ~~or construction for which a~~  
249 certificate of occupancy or similar evidence of substantial  
250 completion of new construction or improvement has not been  
251 issued.

252 (12) (a) Without the consent of the holders or loan  
253 servicers of any mortgage encumbering or otherwise secured by  
254 the property, the total amount of any non-ad valorem assessment  
255 for a property under this section may not exceed 20 percent of  
256 the fair market just value of the real property ~~as determined by~~  
257 ~~the county property appraiser. The combined mortgage-related~~  
258 debt and total amount of any non-ad valorem assessments funded  
259 under this section for residential real property may not exceed  
260 100 percent of the fair market value of the residential real  
261 property. However, the failure of a property owner to disclose

40-00253A-23

2023950\_\_

262 information set forth in paragraph (9) (d) does not invalidate an  
263 assessment financing agreement or any obligation thereunder,  
264 even if the total financed amount of the qualifying improvements  
265 exceeds the amount that would otherwise be authorized under this  
266 paragraph. For purposes of this paragraph, fair market value may  
267 be determined using reputable third parties.

268 (b) Notwithstanding paragraph (a), a non-ad valorem  
269 assessment for a qualifying improvement defined in subparagraph  
270 (2) (f) 1. ~~(2) (b) 1.~~ or subparagraph (2) (f) 2. which ~~(2) (b) 2.~~ that  
271 is supported by an energy audit is not subject to the limits in  
272 this subsection if the audit demonstrates that the annual energy  
273 savings from the qualified improvement equals or exceeds the  
274 annual repayment amount of the non-ad valorem assessment.

275 (13) At least 30 days before entering into an assessment a  
276 financing agreement, the property owner shall provide to the  
277 holders or loan servicers of any existing mortgages encumbering  
278 or otherwise secured by the property a notice of the owner's  
279 intent to enter into an assessment a financing agreement  
280 together with the maximum principal amount to be financed and  
281 the maximum annual assessment necessary to repay that amount. A  
282 verified copy or other proof of such notice shall be provided to  
283 the local government. A provision in any agreement between a  
284 mortgagee or other lienholder and a property owner, or otherwise  
285 now or hereafter binding upon a property owner, which allows for  
286 acceleration of payment of the mortgage, note, or lien or other  
287 unilateral modification solely as a result of entering into an  
288 assessment a financing agreement as provided for in this section  
289 is not enforceable. This subsection does not limit the authority  
290 of the holder or loan servicer to increase the required monthly

40-00253A-23

2023950\_\_

291 escrow by an amount necessary to ~~annually~~ pay the annual  
292 ~~qualifying improvement~~ assessment.

293 (14) At or before the time a seller ~~purchaser~~ executes a  
294 contract for the sale ~~and purchase~~ of any property for which a  
295 non-ad valorem assessment has been levied under this section and  
296 has an unpaid balance due, the seller must ~~shall~~ give the  
297 prospective purchaser a written disclosure statement in the  
298 following form, which shall be set forth in the contract or in a  
299 separate writing:

300  
301 QUALIFYING IMPROVEMENTS FOR ENERGY EFFICIENCY,  
302 RENEWABLE ENERGY, OR WIND RESISTANCE.—The property  
303 being purchased is located within the jurisdiction of  
304 a local government that has placed an assessment on  
305 the property pursuant to s. 163.08, Florida Statutes.  
306 The assessment is for a qualifying improvement to the  
307 property relating to energy efficiency, renewable  
308 energy, or wind resistance, and is not based on the  
309 value of property. You are encouraged to contact the  
310 county property appraiser's office to learn more about  
311 this and other assessments that may be provided by  
312 law.

313  
314 (16) Before final approval of an assessment financing  
315 agreement for a qualifying improvement on a residential real  
316 property, a program administrator shall reasonably determine  
317 that the property owner has the ability to pay the estimated  
318 annual assessment. To do so, the program administrator shall, at  
319 a minimum, use the underwriting requirements in subsection (9),

40-00253A-23

2023950\_\_

320 confirm that the property owner is not in bankruptcy, and  
321 determine that the total estimated annual payment amount for all  
322 assessment financing agreements funded under this section on the  
323 property does not exceed 10 percent of the property owner's  
324 annual household income. Income may be confirmed using  
325 information gathered from reputable third parties that provide  
326 reasonably reliable evidence of the property owner's household  
327 income. Income may not be confirmed solely by a property owner's  
328 statement. The failure of a property owner to disclose  
329 information set forth in paragraph (9) (d) does not invalidate an  
330 assessment financing agreement or any obligation thereunder,  
331 even if the total estimated annual payment amount exceeds the  
332 amount that would otherwise be authorized under this subsection.

333 (17) Before or contemporaneously with a property owner  
334 signing an assessment financing agreement on a residential real  
335 property, the program administrator shall provide a financing  
336 estimate and disclosure to the residential real property owner  
337 which includes all of the following:

338 (a) The total amount estimated to be funded, including the  
339 cost of the qualifying improvements, program fees, and  
340 capitalized interest, if any.

341 (b) The estimated annual assessment.

342 (c) The term of the assessment.

343 (d) The interest charged and estimated annual percentage  
344 rate.

345 (e) A description of the qualifying improvement.

346 (f) A disclosure that if the property owner sells or  
347 refinances the property, the property owner, as a condition of  
348 the sale or the refinance, may be required by a mortgage lender

40-00253A-23

2023950\_\_

349 to pay off the full amount owed under each assessment financing  
350 agreement.

351 (g) A disclosure that the assessment will be collected  
352 along with the property owner's property taxes and will result  
353 in a lien on the property from the date the assessment financing  
354 agreement is recorded.

355 (h) A disclosure that failure to pay the assessment may  
356 result in penalties and fees, along with the issuance of a tax  
357 certificate that could result in the property owner losing the  
358 real property.

359 (18) Before a notice to proceed is issued on residential  
360 real property, the program administrator shall conduct with the  
361 residential real property owner or an authorized representative  
362 an oral, recorded telephone call. The program administrator  
363 shall ask the residential real property owner if he or she would  
364 like to communicate primarily in a language other than English.  
365 A program administrator may not leave a voicemail on the  
366 residential real property owner's or authorized representative's  
367 telephone to satisfy this requirement. A program administrator,  
368 as part of such telephone call, shall confirm all of the  
369 following with the residential real property owner:

370 (a) That at least one residential real property owner has  
371 access to a copy of the assessment financing agreement and  
372 financing estimates and disclosures.

373 (b) The qualifying improvements being financed.

374 (c) The total estimated annual costs that the residential  
375 real property owner will have to pay under the assessment  
376 financing agreement, including applicable fees.

377 (d) The total estimated average monthly equivalent amount

40-00253A-23

2023950\_\_

378 of funds the residential real property owner would have to save  
379 in order to pay the annual costs of the assessment, including  
380 applicable fees.

381 (e) The estimated date the residential real property  
382 owner's first property tax payment that includes the assessment  
383 will be due.

384 (f) The term of the assessment financing agreement.

385 (g) That payments for the assessment financing agreement  
386 will cause the residential real property owner's annual property  
387 tax bill to increase, and that payments will be made through an  
388 additional annual assessment on the property and either will be  
389 paid directly to the county tax collector's office as part of  
390 the total annual secured property tax bill or may be paid  
391 through the residential real property owner's mortgage escrow  
392 account.

393 (h) That the residential real property owner has disclosed  
394 whether the property has received, or the owner is seeking,  
395 additional assessments funded under this section and that the  
396 owner has disclosed all other assessments funded under this  
397 section which are or are about to be placed on the property.

398 (i) That the property will be subject to a lien during the  
399 term of the assessment financing agreement and that the  
400 obligations under the agreement may be required to be paid in  
401 full before the residential real property owner sells or  
402 refinances the property.

403 (j) That any potential utility or insurance savings are not  
404 guaranteed and will not reduce the assessment or total  
405 assessment amount.

406 (k) That the program administrator does not provide tax

40-00253A-23

2023950\_\_

407 advice, and the residential real property owner should seek  
408 professional tax advice if he or she has questions regarding tax  
409 credits, tax deductibility, or other tax impacts of the  
410 qualifying improvement or the assessment financing agreement.

411 (19) A residential real property owner may cancel an  
412 assessment financing agreement within 3 business days after  
413 signing the assessment financing agreement without any financial  
414 penalty from the program administrator for doing so.

415 (20) The term of an assessment financing agreement on  
416 residential real property may not exceed the lesser of:

417 (a) Thirty years; or

418 (b) The greater of either the weighted average estimated  
419 useful life of all qualifying improvements being financed or the  
420 estimated useful life of the qualifying improvements to which  
421 the greatest portion of funds is disbursed.

422 (21) An assessment financing agreement authorized under  
423 this section on residential real property may not include any of  
424 the following financing terms:

425 (a) A negative amortization schedule. Capitalized interest  
426 included in the original balance of the assessment financing  
427 agreement does not constitute negative amortization.

428 (b) A balloon payment.

429 (c) Prepayment fees, other than nominal administrative  
430 costs.

431 (22) For residential real property, a program  
432 administrator:

433 (a) May not enroll a contractor who contracts with  
434 residential real property owners to install qualifying  
435 improvements unless:

40-00253A-23

2023950\_\_

436 1. The program administrator makes a reasonable effort to  
437 review that the contractor maintains in good standing an  
438 appropriate license from the state, if applicable, as well as  
439 any other permit, license, or registration required for engaging  
440 in business in the jurisdiction in which he or she operates and  
441 that the contractor maintains all state-required bond and  
442 insurance coverage; and

443 2. The program administrator obtains the contractor's  
444 written agreement that the contractor will act in accordance  
445 with all applicable laws, including applicable advertising and  
446 marketing laws and regulations.

447 (b) Shall maintain a process to enroll new contractors  
448 which includes reasonable review of the following for each  
449 contractor:

450 1. Relevant work or project history.

451 2. Financial and reputational background checks.

452 3. A criminal background check.

453 4. Status on the Better Business Bureau online platform or  
454 another online platform that tracks contractor reviews.

455 (c) A program administrator may pay or reimburse  
456 contractors for any expense allowable under applicable state law  
457 and not otherwise prohibited under this section, including, but  
458 not limited to, marketing, training, and promotions.

459 (23) (a) Before disbursing funds to a contractor for a  
460 qualifying improvement on residential real property, a program  
461 administrator must first confirm that the applicable work or  
462 service has been completed through any of the following:

463 1. A written certification from the property owner;

464 2. A recorded telephone call with the property owner;

40-00253A-23

2023950\_\_

465 3. A review of geotagged and time-stamped photographs;

466 4. A review of a final permit; or

467 5. A site inspection through third-party means.

468 (b) A program administrator may not disclose to a  
469 contractor or to a third party engaged in soliciting an  
470 assessment financing agreement the maximum financing amount for  
471 which a residential real property owner is eligible.

472 (24) A program administrator shall comply with the  
473 following marketing and communications guidelines when  
474 communicating with residential real property owners:

475 (a) A program administrator may not represent:

476 1. That the REEF program or assessment financing is a  
477 government assistance program;

478 2. That qualifying improvements are free or that assessment  
479 financing is a free program; or

480 3. That the financing of a qualifying improvement using the  
481 REEF program does not require the property owner to repay the  
482 financial obligation.

483 (b) A program administrator may not make any representation  
484 as to the tax deductibility of an assessment authorized under  
485 this section. A program administrator may encourage a property  
486 owner to seek the advice of a tax professional regarding tax  
487 matters related to assessments.

488 (25) A contractor may not present a higher price for a  
489 qualifying improvement on residential real property financed by  
490 an assessment financing agreement than the contractor would  
491 otherwise reasonably present if the qualifying improvement was  
492 not being financed through an assessment financing agreement.

493 (26) A program administrator shall use appropriate

40-00253A-23

2023950\_\_

494 methodologies or technologies to identify and verify the  
495 identity of the residential real property owner who executes an  
496 assessment financing agreement.

497 (27) A program administrator may not provide a contractor  
498 with any payment, fee, or kickback in exchange for referring  
499 assessment financing business relating to a specific assessment  
500 financing agreement on residential real property.

501 (28) A program administrator shall develop and implement  
502 policies and procedures for responding to, tracking, and helping  
503 to resolve questions and property owner complaints as soon as  
504 reasonably practicable.

505 (29) A program administrator shall maintain a process for  
506 monitoring enrolled contractors that contract with residential  
507 real property owners to install qualifying improvements with  
508 regard to performance and compliance with program policies and  
509 shall implement policies for suspending and terminating enrolled  
510 contractors based on violations of program policies or  
511 unscrupulous behavior. A program administrator shall maintain a  
512 policy for determining the conditions on which a contractor may  
513 be reinstated to the program.

514 (30) A program administrator shall provide, at a reasonable  
515 time following the end of the prior calendar year, an annual  
516 report to the dependent special district as defined in s.  
517 189.012 or a separate legal entity created pursuant to s.  
518 163.01(7) which it has contracted with to administer a REEF  
519 program and shall include information and data related to the  
520 following:

521 (a) The total number of property owner complaints received  
522 which are associated with project funding in the report year.

40-00253A-23

2023950\_\_

523 (b) Of the total number of property owner complaints  
524 received which are associated with project funding in the report  
525 year:

526 1. The number and percentage of complaints that relate to  
527 the assessment financing.

528 2. The number and percentage of complaints that relate to a  
529 contractor or the workmanship of a contractor and are not  
530 related to assessment financing.

531 3. The number and percentage of complaints that relate to  
532 both a contractor and the assessment financing.

533 4. The number and percentage of complaints received  
534 pursuant to subparagraphs 1., 2., and 3. which were resolved and  
535 the number and percentage of complaints received pursuant to  
536 subparagraphs 1., 2., and 3. which were not resolved.

537 (c) The percentage of property owner complaints received  
538 pursuant to subparagraphs (b)1., 2., and 3. expressed as a total  
539 of all projects funded in the report year.

540 (31)(a) Subsections (16) through (30) do not apply to  
541 residential real property if the program administrator  
542 reasonably determines that:

543 1. The residential real property is owned by a business  
544 entity that owns more than four residential real properties; and

545 2. The business entity's managing member, partner, or  
546 beneficial owner does not reside in the residential real  
547 property.

548 (b) Subsections (16) through (30) apply to a program  
549 administrator only when administering a REEF program for  
550 qualifying improvements on residential real property.

551 Subsections (16) through (30) do not apply with respect to a

40-00253A-23

2023950\_\_

552 local government, to residential property owned by a local  
553 government, or to nonresidential real property.

554 Section 2. This act shall take effect July 1, 2023.