

2008 REAL PROPERTY STATUTORY UPDATE SUMMARY

Bills deemed significant to Florida real property practitioners are summarized below. Copies of the Bills, for Bills signed by the Governor, the laws, are posted at www.gelfandarpe.com and are accessible by clicking the "Statutory Update" area. The website is anticipated to be updated with additional laws as the Bills are signed by the Governor. Please note that the text that follows is merely summary in nature and the exact text should be referred to before taking action.

1. **Real Estate Transfers.** Ch. 2008-35, Fla. Laws (SB 464/HB 393), effective July 1, 2008.

§689.21. Transfer Fees. Created to prohibit transfer fee covenants which seek to impose a lien upon real property for a payment to be made to the lien holder each time the property transfers, with exceptions for the initial grantor/grantee transaction, brokerage commissions, lender charges, rent, options to purchase, monies due to governmental authorities, community association charges, payments for non-profit or charitable organizations, and club memberships.

§689.01 and §692.01. Corporate Conveyances. Corporations executing instruments regarding real property transfers on its own behalf and in a representative capacity for others may be signed by its president, vice-president or chief executive officer without witnesses.

2. **Trust Administration.** Ch. 2008-_____, Fla. Laws (HB 435/SB 2164), effective July 1, 2008, if signed by the Governor.

§736.0703. Co-Trustees. Provides default provisions addressing co-trustee's exercise of authority and limitations of liability for co-trustee when another co-trustee acts independently.

§736.0802. Duty of Loyalty. Requires a trustee to provide written notice to qualified trust beneficiaries whose share may be effected by the payment of attorneys' fees upon a claim or a defense based upon breach of trust, and providing for notice procedures. A party can obtain an order prohibiting the trust from paying the trustee's costs or attorneys' fees by providing a reasonable basis that there is a breach of trust.

§736.1008. Limitations. Bars stated claims by the passage of time.

3. **Ad-Valorem Taxation.** Ch. 2008-_____, Fla. Laws (HB 909/SB ____), effective September 1, 2008 if signed by the Governor.

The legislature provides an express public policy that taxpayers shall not bear the burden of proving a lack of a property appraisers basis for the challenged assessment.

§193.011. Factors. Property tax appraiser valuation factors shall include the legally

permissible use of the property including any zoning changes, concurrency requirements and permits necessary to achieve the highest and best use.

§193.461. Farms. Acreage minimums for an agricultural assessment are prohibited.

§194.011. Procedures. A uniform policy and procedural manual is to be drafted for statewide application.

§194.015. Appeals. The value adjustment board membership is altered, reducing from three to two the number of county commissioners and from two to one the members of the school board, adding two citizens who own homestead property within the county, one appointed by the school board and one occupying commercial space.

§194.035. Magistrates. A special procedure is created for small counties who do not appoint a special magistrate and procedures for otherwise appointing neutral special magistrates and training for the special magistrates.

§195.052. Data. Compilation, reporting and posting of appraisal data is to be posted on a state website.

4. **Insurable Interests.** Ch. 2008-36, Fla. Laws (SB 648/HB 375), effective July 1, 2008.

§627.404. Personal Insurance. Limits a person or corporation's authority to procure insurance on the life of another person; including permitting business entities to have an insurable interest in its owners, directors, officers, partners, managers, key employees.

5. **Foreclosure Fraud.** Ch. 2008-79, Fla. Laws (HB 643/SB 992), effective October 1, 2008.

§501.1377. Creates foreclosure fraud penalties, including penalties for those who engage in fraudulent proceedings regarding a home. Regulates "foreclosure related rescue services," including mandating a "homeowners right of cancellation" form and "notice of the homeowner/seller" form. Property owners have ten business days to cancel an arrangement.

6. **Title Insurance.** Ch. 2008-_____, Fla. Laws (HB 937/SB 1684) effective if and when signed by the Governor.

Creates the 2008 Title Industry Study Advisory Council to undertake a comprehensive examination of the title insurance delivery system with the goal of recommending legislation to promote a sound and stable system to promote the safety of real property transfers in Florida. The council shall consist of 21 members including the Governor or his designee, the Chief Financial Officer or her designee, an appointee member of the Senate, and appointee member of the House of Representatives, the Insurance Consumer Advocate; the Commissioner of Insurance Regulation, the Commissioner of the Office of Financial Regulation, three title insurer representatives appointed by the Senate and four appointed by the Speaker of the House, two independent licensed title insurance agents appointed by the

Senate and one by the Speaker of the House and two members of the Real Probate and Trust Law Section, one banking representative, one real estate industry representative. The first meeting shall be no later than August 1, 2008. The report shall be submitted no later than September 30, 2008.

7. **Residential Tenancies.** Ch. 2008-_____, Fla. Laws, (HB 1489/SB ____), effective if and when signed by the Governor.

§83.43. Definitions. Provides definitions for a “rental agreement” as including amendments and addenda, and limiting an “oral lease agreement” to a duration of less than one year, and defining an “early termination fee.”

§83.595. Possession. After retaking a possession a landlord has a good faith duty to re-let the premises; however, a landlord is not required to give the abandoned premises preference over landlord’s other available properties. A liquidated damage provision is added so long as the amount does not exceed two months rent, and the tenant has provided sixty days or less notice as provided in the rental agreement. A specific separate addendum for the early termination fee is provided, which includes a tenant’s potential declination.

8. **Judicial Sales.** Ch. 2008-_____, Fla. Laws (HB 773 / SB ____), effective July 1, 2008 if signed by the Governor.

§45.031(10). Electronic Bidding. Judicial sales may occur by electronic means, including electronic proxy bidding with advance deposits.

§45.035. Charges. A service charge of \$60.00 for electronic bidding procedures shall be posted by the plaintiff in advance and charged to the winning bidder.

§197.542. Taxes. Tax deed sales may occur electronically.

9. **Condominium Associations.** Ch. 2008-_____, Fla. Laws, (HB 601/SB 2086), except as otherwise provided, effective July 1, 2008 if signed by the Governor.

§718.111(1)(b). Voting. A condominium association director who abstains from voting is presumed to have taken no position on the motion. [Ed.: This change conflicts with HB995/Chapter 2008-028 Fla. Laws.]

§718.111(11). Insurance. The value of condominium hazard insurance shall be determined by an independent insurance appraisal which shall occur once every 36 months. Self-insurance and pooled funds are authorized within a narrow preview. Failure of condominium developer appointed members during developer control to obtain adequate insurance is a breach of their duty unless they have made their best efforts to do so.

Deductibles are expressly permitted to be determined by the condominium association’s board of directors if deductibles are consistent with industry standards and prevailing

community practices, and may be based upon available funds including reserve accounts. The notice of a meeting at which deductibles are established shall include the proposed deductible amount, available funds and assessment authority together with estimating potential assessments to pay the deductible. Condominium associations controlled by unit owners must also utilize their best efforts to obtain insurance. An exception for the requirement of condominium association insurance coverage applies only if units are in individual free standing buildings.

Individual condominium unit owner insurance coverage must include special assessment coverage of no less than \$2,000.00 per occurrence, and shall include all improvements or additions benefitting that unit owner which do not benefit all owners. The condominium association may require owners to provide proof of insurance, and upon an owner's failure to provide proof of insurance, purchase insurance on behalf of the owner which expense shall be an assessment against the unit.

Condominium reconstruction work normally shall be undertaken by a condominium association; however, upon the condominium association's prior written consent a unit owner may undertake work subject to the owner obtaining proper approvals. The condominium association is to be an additional insured on all unit owner casualty policies. Multi condominiums may obtain a single policy upon a proper vote and recorded instrument.

Subject to the condominium unit owners opting out, the portion of casualty repair expense not paid by insurance shall be a common expense of the condominium association, except for damage caused by a unit owner's intentional conduct, neglect or failure to comply with restrictions. If a condominium unit owner undertakes repairs and the condominium association obtains insurance proceeds, then the condominium association shall reimburse the unit owner without a waiver of rights of subrogation. Notwithstanding the foregoing, if a condominium unit owner does not timely report an insured loss, then the condominium association does not need to pay for the loss. The condominium association's duty to reconstruct and repair is only for improvements originally completed by the condominium developer and reasonable replacements which are standard to the units.

§718.115(1)(a). Expenses. Amended to allow items or services, such as fire safety equipment, water and sewer, to be condominium association common expenses unless otherwise provided in the declaration of condominium.

§718.116. Estoppel. Amended to allow a fee to a condominium association for an estoppel letter certificate, requiring the fee to be established by a writing such as a resolution or management agreement. The fee shall be included in the certificate and shall be refundable if a closing does not occur within thirty days after the schedule date.

§718.117. Termination. Amended to clarify that a condominium termination distribution to lienholders, such as mortgage holders, shall not exceed the unit owner's share of termination proceeds.

§720.30851. Estoppel - HOA. Created to limit homeowners' associations right to charge for estoppel certificates in the same matter as condominium associations referenced in §718.116 above.

§718.501. Suspensions. If the Division of Land Sales determines that a condominium developer violated a State rule, then the Division may suspend that developer's right to file new prospectus. The Division may petition for the appointment of a conservator for a condominium association to take action as required by a court. The Division may also seek restitution to a condominium association and issue notices to show cause and levy penalties for failure to abide by the orders.

10. **Managers and Condominium Governance.** Chapter 2008-028, Fla. Laws. (HB 995 / SB 2084), effective October 1, 2008.

§468.41. Management Firm. Defines a "Community Association Management Firm."

§468.4315. Regulatory Counsel. Re-organizes the Regulatory Counsel of Community Association Managers to include authority for continuing education.

§468.43. Management. As of January 1, 2009, all Florida community associations responsible for management of more than ten units/parcels or with a budget of \$100,000.00 or more, paying a manager must utilize a licensed community association manager or management firm.

§468.463. Management Discipline. Consolidates manager disciplinary proceedings, requiring investigations within ninety days after receipt of a complaint.

§718.111(1). Directors. Directors who abstain from voting are presumed to have taken no action on the issue, and requires officers, directors and agents to utilize the care of an ordinary prudent person in similar circumstances. A breach of duty includes a violation of criminal law, a transaction deriving an improper personal benefit, reckless acts or omissions in bad faith with malicious purpose, or exhibiting wanton and willful disregard for human rights, safety or property.

§718.111(12). Records. Provides a civil penalty for a person who intentionally defaces or destroys association accounting records or knowingly or intentionally fails to create or maintain association accounting records. Official records must be kept for at least seven years within the county that the condominium is located or within forty-five miles of the condominium, except for timeshare condominiums. Alternatively, an association may offer access to records electronically. Personal identification information, such as social security, drivers license and credit card numbers are not to be disclosed. The Division of Land Sales is empowered to adopt rules for records and accounting procedures, including addressing reserve status and special assessments. Reduced levels of financial reporting may be waived or reduced no more than three consecutive years which mandates associations with over \$400,000.00 of revenues to have an audit at least once every four years.

§718.112(2)(b). Voting. Prohibits an association from exercising voting interests allocated to a unit owned by the association.

§718.112(2)(c). Directors' Meetings. Requires the board of directors to address an item of business presented by a petition of 20% of an association's voting interest within 60 days of the receipt of a petition. Meetings considering a regular or a special assessment shall specifically state not only that assessments will be considered and the nature of the assessment, but also the estimated cost and description of the purposes of the special assessment.

§718.112(2)(d). Members' Meetings. Annual meetings must be held at the location specified in by-laws, or if silent, then within 45 miles of the condominium property except for time shares. Members must serve annual terms unless the by-laws permit staggered terms of no more than two years which are approved by a majority of the Association's voting interests. In condominiums of more than ten units, co-owners of a unit may not serve as association directors. An officer or director suspended or removed from office or who is delinquent in the payment of a fee or assessment is not eligible to serve on the board. Those also prohibited from serving as officers and directors are those have been convicted of an offense in another jurisdiction, including another country that would be considered a felony if committed in Florida. Restoration of civil rights does not grant an owner a right to serve on a board unless the restoration has been effective for at least five years. Nominees for director shall certify in writing that the nominee has read and understands to the best of his or her ability the governing documents, the Condominium Act and State of Florida administrative rules.

§718.112(2)(f). Budget. A proposed budget must include estimated revenues as well as expenses. Proxies to be used for a vote to waive or reduce reserves must contain a conspicuous notice that waiving, reducing or utilizing reserves for other purposes may result in special assessments.

§718.112(2)(n). Delinquency. An officer or director more than ninety days delinquent in the payment of a regular assessment is removed from office.

§718.112(2)(o). Crime. An officer or director charged with felony theft or an embezzlement involving the association's funds or property shall be removed from office and is not eligible to return to office until the charges are resolved. If the person is innocent, then the position shall be restored.

§718.1124. Receiver. If a unit owner seeks to have a receiver appointed for a condominium association, then a notice in the form required by the Act must be provided to all unit owners.

§718.113(2). Hurricanes. Upon a majority vote, the association may install other hurricane protection that is compliant with code. An association is prohibited from

failing to approve installation or replacement of hurricane shutters if the request conforms with board approved specifications.

§718.113(6). Inspections. Any condominium building greater than three stories in height shall have an inspection report every five years from October 1, 2008. The report requirement may be waived by a majority of the interest present at a meeting before the deadline.

§718.113(7). Religious Matters. An association may not refuse a reasonable request by an owner to attach on a door, mantle or frame of a religious object not exceeding dimensions of 3 x 6 x 1.5 inches.

§718.115. Hurricanes. Clarification of hurricane shutter and protection policies as set forth.

§718.121. Assessments. Prohibits an association lien against a condominium unit until thirty days after a notice of intent to file lien is provided.

§718.1224. SLAPP. Strategic lawsuits against public participation, a provision already found in the Homeowners' Association Act, is incorporated into the Condominium Act.

§718.1265. Emergencies. When necessary to protect the health, safety and welfare of the association during a time of emergency, significant emergency powers are extended to boards of directors, including:

- Conduct meetings with notices as may be practicable, cancel and reschedule meetings;
- Name assistant officers;
- Relocate offices;
- Enter into agreements with counties and municipalities for debris removal;
- Implement a disaster plan including shutting elevators, electricity, air conditioners and utilities;
- Determine portions of the condominium to be unavailable for entry as well as require evacuation;
- Contract for debris removal including in units for preventing spread of fungus;
- Contract on behalf of unit owners for efforts to prevent further damage to the condominium;
- Levy special assessment without a vote of owners;
- Borrow money and pledge assets as collateral to fund emergency repairs.

§718.301. Turnover. Turnover of an association shall occur when a developer files a petition seeking protection in bankruptcy or when a receiver is appointed by a circuit court and not discharged within thirty days after appointment. Developers

also must provide a report by an architect or engineer analyzing common element features.

§718.3025. Agreements. Management agreements must disclose financial or ownership interests with a board member or any other party providing maintenance or management services. A condominium association's by-laws cannot exempt an association from competitive bidding processes. If officers or directors are financially interested in contracting matters, disclosures are a requirement and a super majority two-thirds directors approval is required, allowing for members to cancel such a contract.

§718.303. Fining. Fining committee members cannot be board members or persons residing in a board member's household.

§718.501. Division. The Division of Land Sales has the power to investigate complaints against associations under developer control; however, after turnover the Division has jurisdiction only to investigate complaints related to financial elections and access to association record issues. Developers who fail to pay fines on a timely basis may have their filings barred. The Division may order the removal of an officer or director when there is a willful and knowing violation of the Act or rules. If the Division has proof that an owner has requested access to official records and after ten days of a second request the Association refused to provide the records, then the Division shall issue a subpoena regarding protection. The Division is required to undertake education efforts. Directors, officers, employees, developers, managements and firms have a duty to comply with the Division in any investigation.

§718.50151. Council. Renames the Advisory Council in Condominiums to the Community Association Living Study Council.

§718.503. Pamphlet. Seller of a condominium unit, including a developer, must provide the perspective purchaser a governance form created by the Division of Land Sales outlining owner and association's duties and obligations.

11. **Community Associations.** Ch. 2008-____, Fla. Laws, (HB 679/SB ____), effective July 1, 2008, if signed by the Governor, unless otherwise provided in the Bill.

Chapter 514 is amended to provide that homeowners' association pools serving over 32 parcels be subject to State swimming pool regulations.

§718.112(2)(d). Meetings. Condominium association annual members' meetings shall be held at the location provided in the association's by-laws, and if the bylaws are silent, then within 45 miles of the condominium.

Terms. Condominium association directors' terms end at the annual members' meeting unless: staggered terms are provided for in the by-laws as originally drafted

or amended by a majority of the unit owners; or, if no person provides an intent to run for the position.

Co-owner Directors. In condominium associations administering more than ten units co-unit owners may not serve on the board of directors.

Director's Disqualification. Condominium Association officers and directors may be disqualified from serving if suspended by the Division for misfeasance, if delinquent in the payment of fees or assessments to the association, or if convicted of a crime anywhere in the world that would be considered a felony in the state, unless civil rights were restored.

Elections. Only condominium associations governing ten units or less may opt out of the Condominium Act's absentee ballot process.

Director's Certification. Within 30 days of election, a new condominium association director must deliver to the association's secretary a certification that the director has read the "condominium documents" and policies and will work to uphold the documents and policies to the best of their ability.

§720.303. Homeowners' Association Administration.

Open Meetings. Homeowners' association directors' and committee meetings need not be open to members if discussing pending or proposed litigation with counsel, or personnel matters.

Records. A parcel owner's records request to a homeowners' association delivered by certified mail return receipt which is not responded to with records within ten business days creates a presumption of wilful failure to comply. Duplication of more than twenty-five pages may be by an outside vendor as well as association management personnel. The reasonable cost of duplication, including hourly employee rates and administrative costs may be charged.

Reserves. Funding of homeowners' association reserve accounts is clarified. Unless reserves are established by the community's developer or the membership, assessments for reserves shall be limited if the governing documents limit assessment increases or the parcel owners agree to terminate the reserve. If reserves are created by the developer or parcel owners, then reserves must be funded unless a majority of the voting interest of the association approves termination. If reserves are not kept or are intended to be waived, then the financial report, budget and proxy must contain conspicuous notifications and warnings in a statutorily required format.

Compensation. Association officers, directors and committee members may not receive, directly or indirectly, any compensation for service, except for benefits enjoyed community wide, as authorized in the governing documents, or authorized in advance by a majority of the members.

§720.305(2). Homeowners' Fining. The fining process is clarified, providing that daily fines may be up to \$100.00 and that a fine of \$1000.00 or more may be a lien against a parcel.

§720.306. Homeowners' Elections. Directors shall be elected by secret ballot. Absentee ballots are authorized if implemented with an inner envelope, and deadlines for nominations and balloting. A certificate by directors similar to that in §718.112, discussed above for condominium associations, is also required.

§720.401. Homeowners' Disclosures. A selling parcel owner's disclosure statement was expanded to include development district taxes and liability for association assessments.

§34.01 Jurisdiction. County courts have jurisdiction of certain homeowners' association disputes.

§720.302. Disputes. Mandatory pre-suit alternative dispute resolution procedures are expanded to deed restricted communities in addition to defined homeowners' association communities.

§720.501 - 505. Home Court. A new part IV of the Homeowners' Association Act, entitled "Dispute Resolution," the so-called short title being "Home Court Advantage Resolution Act," is effective July 1, 2009.

§720.503. In addition to the current pre-suit mediation process, an aggrieved party may opt to proceed with mandatory pre-suit arbitration instead of or in addition to mediation.

§720.504. Before proceeding with mediation or arbitration, a party must provide notice to the other party of the dispute. The notice of dispute shall also provide specific information of the dispute including the text of the governing document or rule provision sought to be enforced. The party receiving notice of a dispute has ten days to resolve the dispute.

§720.505. Delivery of a demand for mandatory pre-suit dispute processes may be by hand delivery with an affidavit of the person delivering notice, in addition to the Certified Return Receipt Mail. An initial notice must be attached to a demand for mandatory pre-suit mediation or arbitration. A specific demand is provided with an agreement to mediate, details on service and allocation of expenses. A responding party may opt to demand arbitration or agree to mediate and agree to a mediator. Mediation must be scheduled within a ninety day period. If a responding party fails to respond, fails to choose a mediator or fails to pre-pay a mediator's fee, then the aggrieved party may immediately proceed to filing a lawsuit. If any party fails to participate as required, then that party may not recover attorney's fees and costs in litigation regarding the same dispute and the same parties. If the session cannot be scheduled within ninety days without the fault of any party, then there will be an impasse declared and either party may proceed.

§720.506. A responding party may opt out of mediation and proceed with non binding pre-suit arbitration.

§720.507. The process for initiating pre-suit arbitration is stated, including an agreement of the parties to proceed together with penalties for not proceeding in good faith.

§720.508. Rules of procedure for mediation and arbitration shall generally follow the Florida Rules of Civil Procedure and Florida Statutes Chapter 44.

§720.509. Mediators and arbitrators are to be a Certified Circuit Court Civil Mediators and a member of the Florida Bar.

§720.510. Procedures for enforcement for mediation agreements are stated.

§718.____. Insurance. Without assigning a specific statutory section, a new provision allows three or more condominium associations to form a self insurance fund under certain specified circumstances.

12. **Homeowners' Association Liens.** Ch. 2008-____ Fla. Laws (SB 1986/HB 921) effective July 1, 2008, if signed by the Governor.

§720.3085. Provides that homeowners' association assessments liens are effective upon recording. If recorded after the effective date, the lien shall relate back to the date the original declaration was recorded; however, concerning the first mortgage of record as of the effective date, the lien is effective from and after recording. Requirements for the lien and a notice of contest of lien are provided.

A homeowners' association may foreclose a lien as a mortgage and/or to seek money damages for which the association is entitled to recover reasonable attorneys' fees. Owners remaining in possession after a foreclosure judgment may be required to pay rent and an association is entitled to purchase a foreclosed parcel.

The liability of a first mortgagee, or its successor or assign as a subsequent holder of the first mortgage, for homeowners' association assessments coming due before the mortgagee's acquisition of title is limited to the lessor of twelve months of regular and special assessments or 1% of the original mortgage debt.

A homeowners' association may record a claim of lien forty-five days after depositing a notice in the mail to the owner. Qualifying offer procedures are clarified.

13. **Building Code Standards.** Ch. 2008-____, Fla. Laws (HB 697/SB 560), effective July 1, 2008, if signed by the Governor.

§163.04(2) Covenants. Amended to provide that declarations of condominium cannot forbid or otherwise control alterations within the boundaries of a condominium unit concerning

installation of solar collectors or other energy devices.

§718.113(6). Authority. The board of directors may without unit owner approval install on common elements or association property energy efficient devices.

14. **Fire Safety**. Ch. 2008-____, Fla. Laws, (HB 727/SB 1554), effective July 1, 2008 if signed by the Governor.

§633.027. Light frame truss-type construction, if in a commercial, industrial or three unit or more residential structure, must post State Fire Marshall approved signage.

15. **Association Receivers and Collections**. Ch. 2008-____, Fla. Laws (HB 1105/SB 2494), effective July 1, 2008, if signed by the Governor.

§718.1124. Condominium Receivership Application. A “Notice of Attempt to Apply for Receivership” must be provided to a unit owner petitioning for the appointment of a receiver of a condominium association.

§718.117(7)(a). Condominium Receiver Notice. A condominium association receiver shall provide notice of appointment to unit owners.

§718.127. Receivership Appointment Notice. Provides procedures for a condominium association receiver to provide a notice to owners within ten days of appointment.

§719.1124 and §719.127. Cooperative Receivers. The appointment and notice of an appointment of a cooperative association receiver follows procedures similar to those adopted for condominium associations discussed in §718.127, above.

§720.305(4), §720.3053 and §720.313. Homeowners’ Receivers. Current homeowners’ association receivership requirements are deleted. Replacement provisions are similar to the procedures adopted for condominium associations discussed in §718.127, above.

§719.108, Cooperative Collections. Cooperative associations are to provide members the same thirty day notice before proceeding with a lien as apply to condominium associations as stated concerning §718.121, above.

§718.121(4). Condominium Liens. A condominium association may not lien a unit until 30 days after providing a notice of intent to lien sent certified mail return receipt requested and first class mail to an owner, and first class mail if outside the United States. (Ed.: This provision likely should have been an amendment to §718.116.

16. **Homeowners Association Flags and Voting**. Ch. 2008-45, Fla. Laws (HB 857/SB 1378), effective July 1, 2008.

§720.304(2)(a). Flags. The types of flags that may be displayed in a homeowners’ association community are expanded to include POW-MIA flags. Two flags may be flown

on a parcel, one United States flag or official flag of the State of Florida and one for the armed forces or POW-MIA. A parcel owner may utilize a free standing flag pole no more than twenty feet high anywhere not interfering with intersection sight lines or easements.

§723.075(3). Voting. Mobile home park voting rights are allocated in certain mobile home park lots.

17. **Time Shares.** Ch. 2008-_____, Fla. Laws (HB ____ /SB 1790) effective July 1, 2008, if signed by the Governor.

Section 39 amends §721.83(3) doubling the fee to foreclose each unit week in a multiple time share estate foreclosure action from \$5.00 to \$10.00.

18. **Space Flight.** Ch. 2008-_____, Fla. Laws (HB ____ /SB 2438), effective October 1, 2008 if signed by the Governor.

A statutory warning notice must be provided to space flight participants!

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