

You should be aware, Senate Bill 1196, which modifies provisions of the Condominium Act was signed by the Governor and became effective on July 1, 2010. Of particular importance are changes to Section 718.303, Florida Statutes which provide:

718.303(3) - If a unit owner is delinquent for more than 90 days in paying a monetary obligation due to the association, the association may suspend the right of a unit owner or unit's occupant, licensee, or invitee to use the common elements, common facilities, or any other association property until the monetary obligation is paid...

718.303(4) - The notice and hearing requirements of subsection 3 do not apply to the imposition of suspensions or fines against a unit owner or unit's occupant, licensee or invitee because of failing to pay any amounts due to the association. If such a fine or suspension is imposed, the association must levy the fine or impose a reasonable suspension at a properly noticed board meeting, and after the imposition of such fine or suspension, the association must notify the unit owner and, if applicable, the unit's occupant, licensee or invitee by mail or hand-delivery.

718.303(5) - An association may also suspend the voting rights of a member due to non-payment of any monetary obligation due to the association which is more than 90 days delinquent. The suspension ends upon full payment of all obligations currently or overdue the association.