



DBPR DIVISION OF CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES JURISDICTION AND SERVICES

DIVISION JURISDICTION EXPLAINED

CTMH has been given statutory authority by the Legislature to investigate the following types of condo complaints:



Financial issues related to operating budgets, reserve schedules, financial records and notices of meetings for budget or other financial-related meetings



Procedures of elections including the integrity, notices and operations of an election



The maintenance of and unit owner access to association records



The procedural completion of structural integrity reserve studies

CTMH has authority to arbitrate homeowners' association election and recall disputes under s. 720.311, F.S.

FLORIDA CONDOS AT A GLANCE



27,670+ CONDOMINIUMS IN FLORIDA



1.5+ MILLION CONDOMINIUM UNITS STATEWIDE



2,380+ COMPLAINTS RECEIVED FOR FISCAL YEAR 2022-2023



100% OF COMPLAINTS ACTED ON WITHIN 90 DAYS AND **99%** RESOLVED



99.33% OF COMPLAINANTS RECEIVE SUBSTANTIVE UPDATES WITHIN 30 DAYS

MAIN SERVICES THE DIVISION PROVIDES



Establishment of Condominiums



Jurisdictional Complaints and Investigations



Office of the Condominium Ombudsman



Education



Arbitration

DBPR CONDO EDUCATIONAL RESOURCES

CTMH has a dedicated education team that facilitates several courses for condominium board members and unit owners alike. Courses are free, offered both virtually and in-person, and offered in both English and Spanish. Courses can also be requested for specific topics or audiences to best fit the needs of the association. The calendar of upcoming events is available online at bit.ly/CondoEducation.

Courses offered

- Board member certification
- Association responsibilities
- Meetings and notices
- CTMH’s jurisdiction and the complaint process
- Budgets and reserves
- CTMH’s jurisdiction and the election process
- Financial reporting
- CTMH’s jurisdiction – financial issues
- CTMH’s jurisdiction – records access
- Unit owner rights and responsibilities

The education team is also responsible for reviewing and approving Board Member Certification courses for anyone who wishes to teach a Board Member Certification.

CONTACT THE CTMH EDUCATION SECTION

To learn more about state resources and to make requests for FREE in-person courses and/or virtual webinars, please contact the CTMH Education Section by calling (954) 202-6831 or emailing CTMHEducation@MyFloridaLicense.com.



PRESENTATION REQUEST FORM

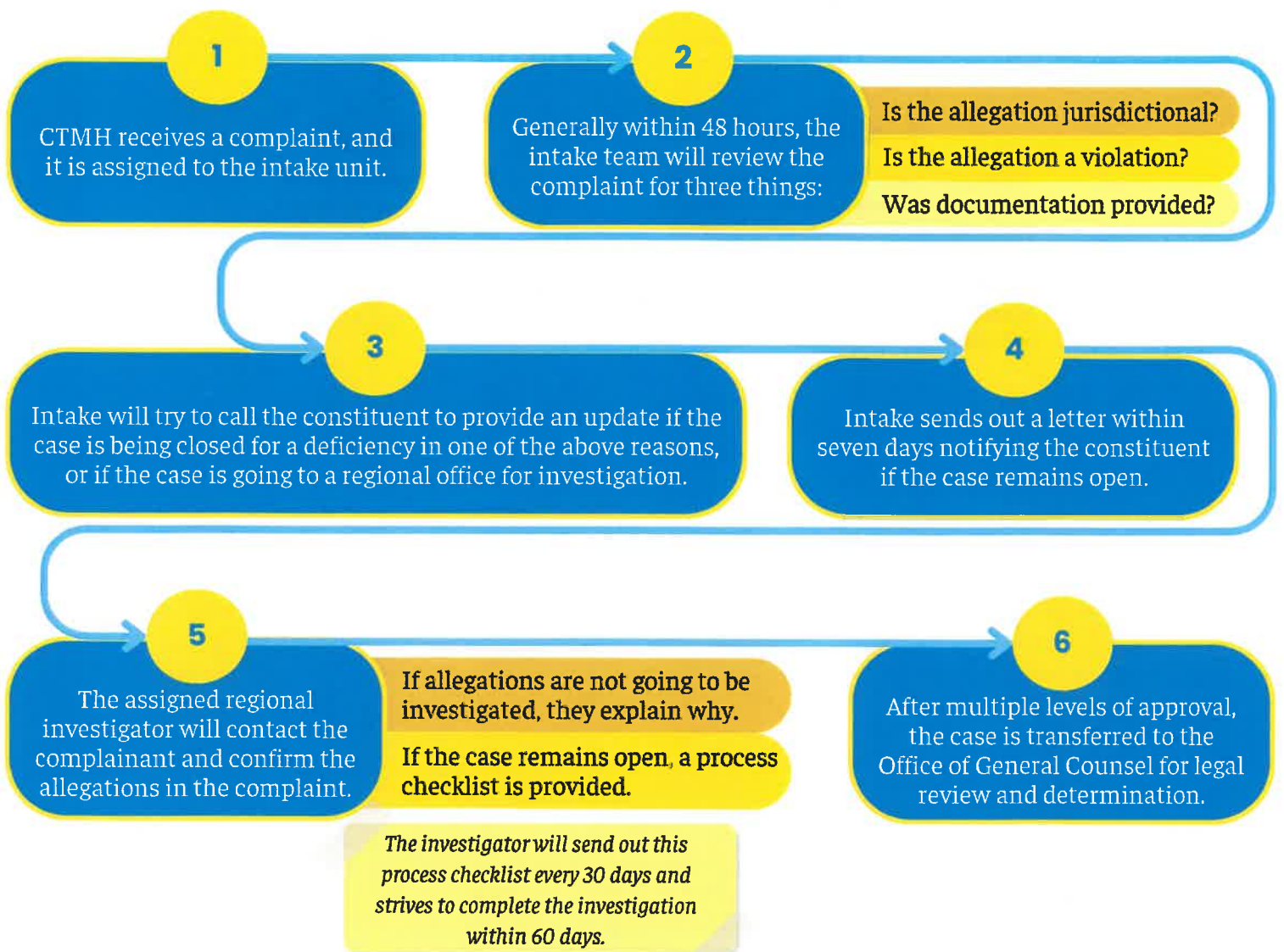
Scan the QR Code to the right to request a tentative date and time for an in-person or virtual presentation from the CTMH Education Section. After review, a response will be sent to confirm the requested date and time or, if the requested date and time is unavailable, to propose another date and time.



STATUTORILY TASKED TO HANDLE CERTAIN DISPUTES AND COMPLAINTS

DBPR’s Division of Condominiums, Timeshares, and Mobile Homes is well-equipped to handle the complaints regarding financial issues, elections, records and structural integrity reserve studies as authorized in s. 718.501(1), F.S.

THE COMPLAINTS AND INVESTIGATIONS PROCESS



48 hours

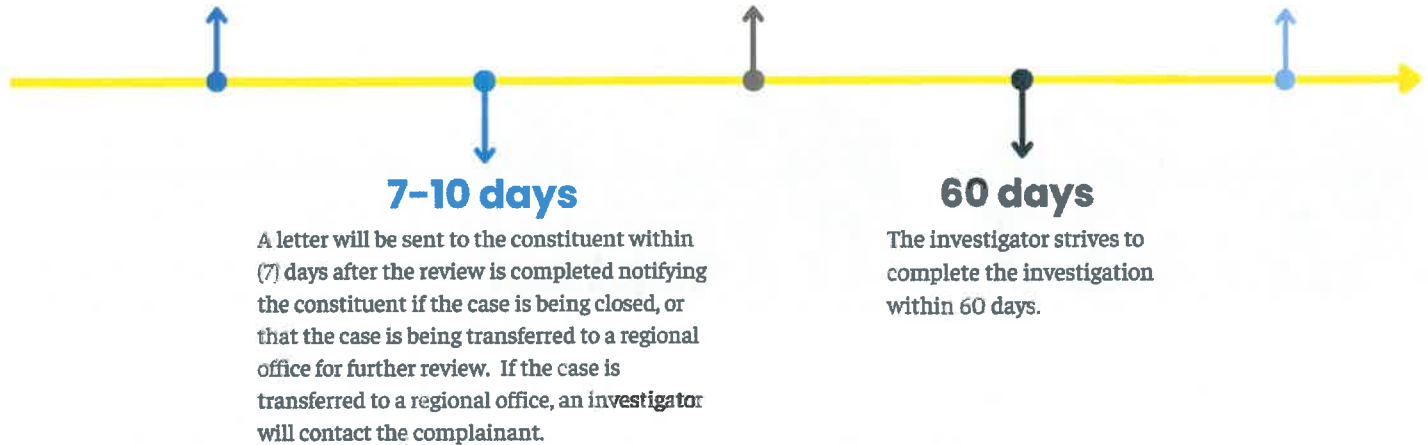
Within 48 hours of submitting a complaint, the Intake Unit completes a review of the case to determine 1) If the case is jurisdictional. 2) If the allegation is a potential violation. 3) If any supporting documentation was provided. The team will contact the constituent by phone to provide an update.

30 days

The investigator will provide a process checklist outlining what to expect over the course of the investigation. The investigator will send the process checklist every 30 days while the case is under investigation to notify the constituent of the case's status.

90 days

Per 718.501(1)(m), Florida Statutes, the division shall conduct its investigation and, within 90 days after receipt of the original complaint or of timely requested additional information, take action upon the complaint.



DBPR OFFICE OF THE CONDOMINIUM OMBUDSMAN DUTIES – S. 718.5012, F.S.



Act as a neutral resource and liaison

The Ombudsman acts as a neutral resource and liaison between all affected parties and CTMH in regard to rights and responsibilities of unit owners, associations and board members.



Provide resources and assistance

The Ombudsman assists condominium unit owners, directors, association managers and other affected parties by providing resources in order to understand respective rights and responsibilities and to carry out their powers and duties.



Facilitate communication

The Ombudsman encourages and facilitates voluntary meetings in order to resolve disputes between all affected parties with respect to financial matters, elections and access to records.



Make informed recommendations

The Ombudsman makes recommendations to CTMH for changes in rules and procedures for the filing, investigation and resolution of complaints filed by unit owners, associations and managers.

DBPR ELECTION MONITOR PROGRAM

The Office of the Ombudsman oversees the Election Monitor Program, where 15% of the total voting interests or six unit owners, whichever is greater, may petition to appoint an election monitor to attend the annual meeting of the unit owners and conduct the election of directors.

- Instructions on how to petition for appointment of an election monitor, as well as the appropriate petition form, are available under Forms at bit.ly/CondoOmbudsman.
- Petitions can be emailed to ElectionMonitorPetition@MyFloridaLicense.com or dropped off / mailed to:
1400 W. Commercial Blvd.
Suite 185
Fort Lauderdale, FL 33309
- Petitions must be received no less than 14 days prior to the annual meeting and election.

Units	Monitor's Fee
0-25	\$250
26-50	\$325
51-99	\$400
100-150	\$3 per unit, plus \$150
150+	\$2.50 per unit, plus \$125

The election monitor fee schedule does not include travel costs of \$1 per mile over 20 miles. There are no travel costs for one-way travel under 20 miles.

ARBITRATION JURISDICTION

Arbitration is housed within the DBPR Office of General Counsel. The jurisdiction is defined in s. 718.1255(4), F.S.

ARBITRATION PURPOSE

Arbitration is a formal process in which the arbitrator has the authority to decide the dispute in accordance with the law. Unlike mediation, the resolution of a dispute according to an arbitrator’s decision is not based on the voluntary acceptance of the parties; instead, the arbitrator has the authority to render a decision based on the facts involved in the parties’ dispute. The arbitrator’s decision is final and binding on the parties if the parties agree in advance to be bound by the arbitrator’s decision, or if the matter is not filed in court for a new trial within 30 days of the arbitrator’s decision.

ARBITRATION DISPUTE TYPES

1. Condominium Act – Chapter 718, F.S.

- a. Authority of the Board of Directors to:
 - i. Require any owner to take or not take action involving the owner’s unit.
 - ii. Alter or add to a common area or element.
- b. Failure of a governing body when required by this Chapter or the governing documents, to:
 - i. Properly conduct elections.
 - ii. Give adequate notice of meetings or other actions.
 - iii. Properly conduct meetings.
 - iv. Allow inspections of books and records.
 - v. Properly conduct a plan of termination pursuant to s. 718.117, F.S.
 - vi. Unit owners’ representative and deposed Board member challenges to recall.



EXAMPLES

Failure to follow association rules; failure to maintain a unit; material alterations of the common elements by the association or the unit owner; unit owner actions creating a nuisance; unauthorized pets; etc.

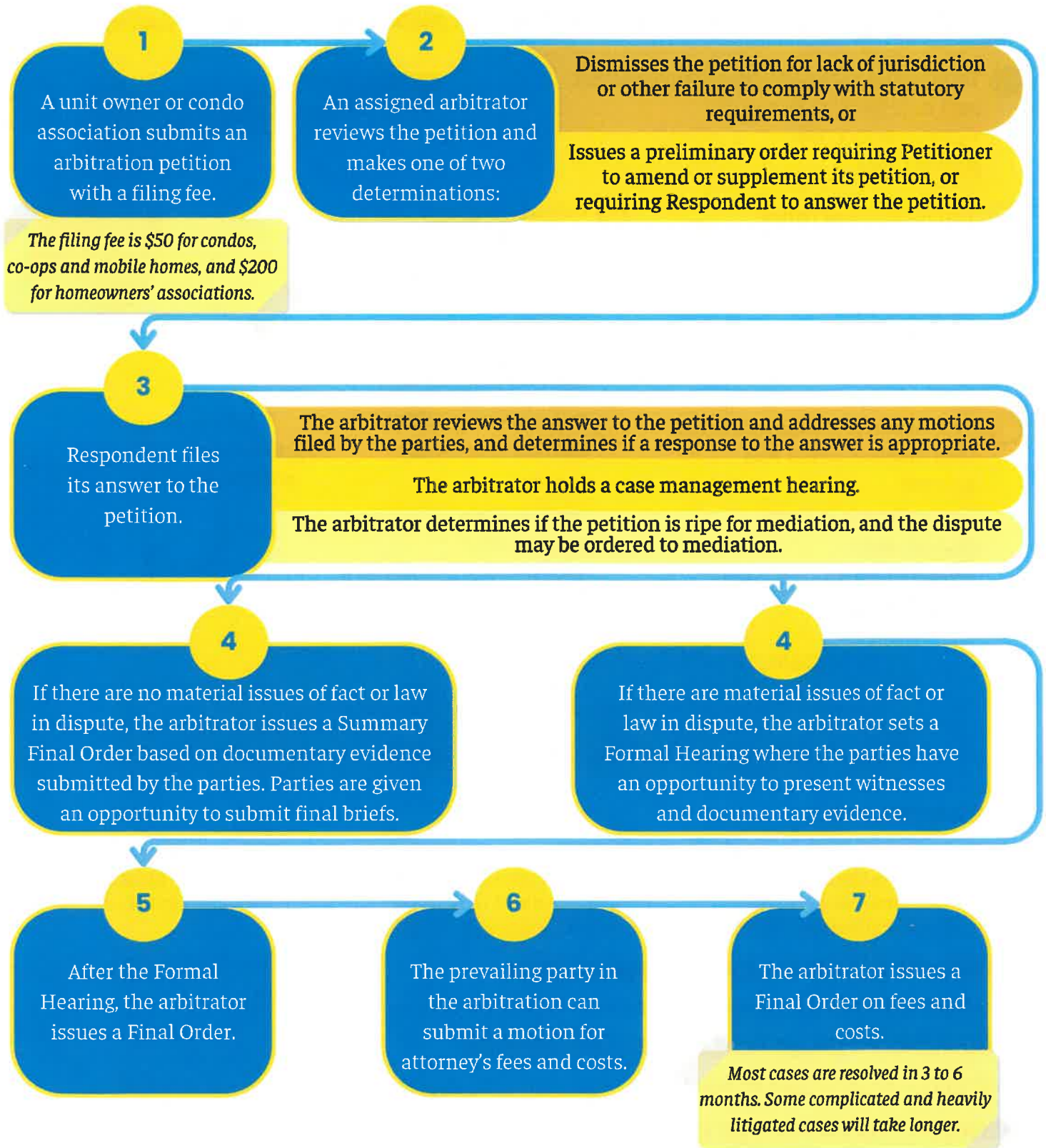
2. Homeowners’ Associations – s. 720.311(1), F.S.

- a. Challenge an election in a homeowners’ association – s. 720.306, F.S.
- b. Seek to recall members of the Board of Directors – s. 720.303(10), F.S.

ARBITRATION CONTACT INFORMATION

Visit the DBPR website for official forms and more information at bit.ly/DBPRarbitration, call the DBPR Arbitration team at (850) 414-6867 or email CTMH.Arbitration@MyFloridaLicense.com.







DBPR DIVISION OF CONDOMINIUMS, TIMESHARES AND MOBILE HOMES LOCATIONS

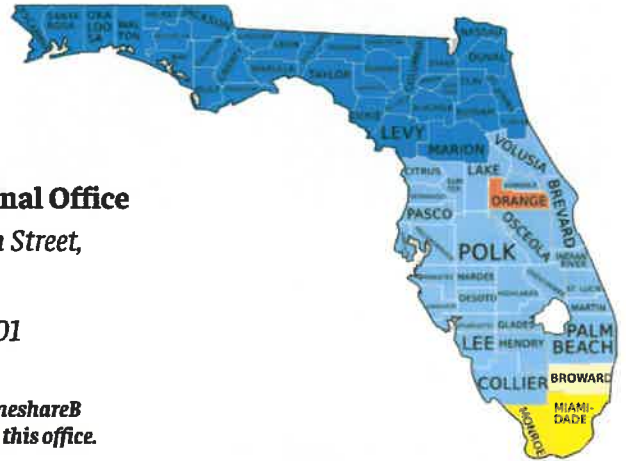
Tallahassee Regional Office/Headquarters
2601 Blair Stone Road
Tallahassee, FL 32399
(850) 487-9948

Tampa Regional Office
1313 N. Tampa Street
Suite 712
Tampa, FL 33602
(813) 233-2931

Fort Lauderdale Regional Office
1400 West Commercial Blvd.
Suite 185
Fort Lauderdale, FL 33309
(954) 202-3982
*This office is set up with a kiosk to assist unit owners in filing a complaint.
Spanish spoken here.

Orlando Regional Office
400 W. Robinson Street,
Suite N-908
Orlando, FL 32801
(407) 317-7226
All non-financial TimeshareB cases are assigned to this office.

Doral Regional Office
8240 NW 52nd Terrace
Suite 520
Doral, FL 33166
(305) 629-1880
*Note, this location is moving in 2024, and will be set up with a kiosk.
Spanish spoken here.



Schedule an appointment with an investigator.



REGIONAL OFFICE INFORMATION

- > Each regional office is open Monday-Friday, 8 a.m.-5 p.m.
- > Each office is equipped to handle walk-in appointments with constituents.



FILE A COMPLAINT

To file a complaint, residents may visit MyFloridaLicense.com, click the yellow “File a Complaint” button, and either complete the form for Condominiums/Cooperatives using DBPR’s online portal or download the Condominiums/Cooperatives form to fill out by hand and mail to DBPR headquarters. Residents can also file a complaint by calling the DBPR Customer Contact Center at (850) 487-1395.

CONTACT THE OFFICE OF THE OMBUDSMAN

Residents may email their questions to Ombudsman@MyFloridaLicense.com.

FIND MORE INFORMATION ABOUT ARBITRATION

Visit bit.ly/DBPRarbitration or email CTMH.Arbitration@MyFloridaLicense.com for more information.

REQUEST FREE IN-PERSON OR VIRTUAL WEBINARS

Call the CTMH Education Section at (954) 202-6831 or email CTMHEducation@MyFloridaLicense.com.

DIVISION ROLE

The Division of Florida Condominiums, Timeshares, and Mobile Homes (CTMH) is charged with providing oversight of the Florida residential communities it regulates through education, complaint resolution, developer disclosure and mediation, and alternative dispute resolution through the Office of General Counsel.

DIVISION JURISDICTIONAL AUTHORITY



Developer-controlled condominiums – s. 718.501(1), F.S.

CTMH may enforce and ensure compliance with this chapter and rules relating to the development, construction, sale, lease, ownership, operation, and management of residential condominium units and complaints related to the procedural completion of milestone inspections under s. 553.899, F.S.



Unit owner-controlled condominiums – s. 718.501(1), F.S.

After turnover has occurred, CTMH has jurisdiction to investigate complaints related only to financial issues, elections and the maintenance of and unit owner access to association records under s. 718.111(12), F.S., and the procedural completion of structural integrity reserve studies under s. 718.112(2)(g), F.S.



Statutory contact requirements – s. 718.501(1)(m), F.S.

CTMH must acknowledge the complaint in writing within 30 days from receipt of complaint; must provide a status update 90 days after a case has been open (CTMH provides substantive updates within 30 days from receipt); and must conduct investigation and take action within 90 days.



Education team – s. 718.501(j), F.S.

CTMH shall provide training and educational programs for condominium association board members and unit owners. The training may include web-based electronic media, live training and seminars in various locations throughout the state. CTMH may review and approve education and training programs for board members and unit owners offered by providers and shall maintain a current list of approved programs and providers, and make such list available to board members and unit owners in a reasonable and cost-effective manner.



Ombudsman's Office – s. 718.5012, F.S.

The Ombudsman's Office acts as a liaison for CTMH and develops policies and procedures to assist unit owners, boards of directors, board members, community association managers, and other affected parties to understand their rights and responsibilities as set forth in Florida law and the condominium documents governing their respective association. The Ombudsman's Office also monitors and reviews procedures and disputes concerning condo elections or meetings. The Ombudsman's Office assists with the resolution of disputes between unit owners and the association, or between unit owners when the dispute is not within the jurisdiction of CTMH to resolve.

