

LEGAL- BEAT

WINTER EDITION, 2014

LEGAL ADVERTISEMENT

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A publication of:

GLAZER & ASSOCIATES, P.A.

www.florida-association-law.com

WELCOME ABOARD!



As our readers know, this firm's practice is devoted to the representation of community associations and their owners around the state. We are proud to announce the addition of the following associations to our list of clientele: Vencino Del Mar Owners Association, Inc., - **North Miami**, Cypress Glen HOA - **Winter Park**, Kendale Lakes Master Condominium Association, Inc., - **Kendall**,

Miller Square Professional Center Office Condominium Association, Inc., Met 1 Condominium Association, Inc., Milana Condominium Association, Inc., Casa Grande Condo Association, Medical Diagnostic Center Condominium Association, Inc., and JMC Gardens Condominium Association, San Marco Villas of Miami Condominium Association, Inc., - **Miami**, Capri At Hunters Creek Condo Association, Azur at Metrowest Condominium Association, - **Orlando**, Wekiva Walk Homeowners Association, Inc., **Apopka**, Futura Sansovino Condominium Association, Inc., - **Coral Gables**, Dewey Condominium Apartments, Inc., Family Townhouses Of The Lakes Of Emerald Hills and Las Palmas Townhomes Association, Inc. - **Hollywood**, High Point of Delray West Condominium Association Section 3, Inc., - Normandy K Association, Inc., and Burgundy F Association, Inc., - **Delray Beach**, - Tuscany No 1 Condominium Association **Hialeah**, Atlantic Princess Condominium Association, Inc., Washington Park Condominium Association, Inc., - **Miami Beach**, APTH Condominium Association, Inc. - **Aventura**. Cannongate Condominium Association - **Tamarac**, Oceancrest Condominium Apts, Inc. - **Jupiter**, Windwood Condominium Association - **North Miami Beach**, Alden Hotel Condo Owners Association - **Miami Beach**, Ashley Oaks Condo - **Tampa**, Golden Raintree VI HOA - **Coconut Creek**, Avila Condominium Association - Sunny Isles Beach and Fairway Village Association - **Winter Haven**. We appreciate the business and confidence placed in our firm.

H.O.A. AND CONDO EDUCATION IS HERE!



Just like condominium board members, effective July 1st, 2013 members of HOA boards need to become certified either within one year prior to joining the Board of Directors or within 90 days of actually getting elected or appointed.....or they are removed. We are extremely proud to have worked so hard to change the law in this regard. One way to get certified is by taking our

Condo Craze and HOAs Board Certification Course which has now certified over 7,200 people all around the state. This year our course will certify HOA members as well as Condo members and provide 3 CEU credits (2 HR, 1 OPP) for Florida CAMs. So come learn all about budgets, meetings, reserve funds, duties of board members, foreclosures, elections, material alterations, financial reporting and much more. It's all free of charge. Join us on the following dates:

April 1st, 2014 at 8:00 a.m. at the PM-Expo event at the South Florida Fairgrounds in West Palm Beach;

April 5th, 2014 at 10:00 a.m. at the Holiday Inn at Universal Studios in Orlando; THIS EVENT WILL BE FOLLOWED BY A ONE HOUR COURSE OFFERED BY THE FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION ON THE COMPLAINT PROCESS

April 22nd, 2014 at 8:00 a.m. at the Tampa Bay Condo and HOA Expo at the Tampa Convention Center.

And then.....our Big Event!



BLOCK OFF MAY 18TH BECAUSE WE WANT YOU TO ATTEND OUR SECOND ANNUAL CONDO **CRAZE** BOARD CERTIFICATION COURSE, LIVE RADIO SHOW AND DAY OF EDUCATION AT THE HARD ROCK HOTEL AND CASINO IN HOLLYWOOD. WE PUT TOGETHER A FANTASTIC FREE EVENT INCLUDING BOTH BREAKFAST AND LUNCH BUFFETS FOR ALL WHO ATTEND. TO SIGN UP FOR THIS EVENT JUST GO TO WWW.CONDOCRAZEANDHOAS.COM AND CLICK ON THE MAY 18TH LINK.

REGISTRATION AND FREE BREAKFAST START AT 8:00 A.M. AND OUR BOARD CERTIFICATION COURSE STARTS AT 9:00 A.M. SHARP. TAKE THE COURSE THAT OVER 7,200 FLORIDIANS HAVE NOW PARTICIPATED IN. LISTEN TO AND ASK QUESTIONS OF OUR ESTEEMED PANEL.

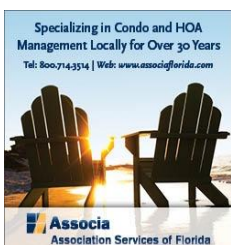
AND THEN.....IMMEDIATELY FOLLOWING THE SEMINAR:

THE CONDO **CRAZE** RADIO SHOW WILL BE BROADCAST LIVE BEFORE A STUDIO AUDIENCE AT NOON. WE WANT TO HEAR YOU ON THE RADIO!



FOLLOWING THE RADIO SHOW, A FREE BUFFET LUNCH, THEN THE FOLLOWING FREE CLASSES WILL ALSO BE OFFERED:

1. Watch Your Wallet (1 CEU)



Learn procedures and safeguards every board of directors should have in place to protect the association's money and avoid fraud. Learn about segregation of duties, fraud risks, fraud controls and more. It's your money! Don't lose it because you failed to take these critical steps.

2. Introduction to Commercial Roofing 101 (1 CEU)



A 1-hour demonstrative class focusing on the principles of roofing and the relationship to property management. We will discuss the different roofing systems, advantages, materials, and demographic concerns of roofs, and common problems associated with roof failures and how to identify them. By looking at common designs and problems as well as the different testing methods available to help you identify failures and damages, you will come to further understand roofing components and be able to interpret signs of problems. Best Roofing will share our experiences with you through case studies of our observations and testing experiences.

3. What You Must Know About The Election And Recall Process. (1 CEU)



This course teaches the ins and outs of board member elections and the recall process. We will provide this information with a detailed, step-by-step approach covering the entire election process: the bylaws and state statutes that govern elections, the role of the Association's attorney, timetables for notice of election and submission of candidacy, proper format of ballots, and election day protocol. We will also offer an instructive primer on the recall process and discuss why unit owners may want to recall a member (or members) of the board, who may initiate the process, who participates in it, and what is required to successfully recall a board member. To find out more about Affinity, visit: www.affinitymanagementservices.com or call: 305-325-4243.

4. What's Really Going On With Your Community's Finances? (1 CEU)



Learn how to read your association's financials to know how your money is being spent. We will discuss cash vs. accrual, cash vs. available to spend, commingling funds and other topics.

5. Electric Energy Savings 101 (1 CEU)



This course will provide property managers and board members with a basic understanding of electrical energy conservation, advantages, and how to improve our environment (lighting, power optimization, green technology). Additional topic of discussion is identifying potential electrical hazards.

6. Asphalt 101 (1 CEU)



Managers and board members will learn all about resurfacing, seal-coating, striping, parking lot maintenance, sidewalks, curbing, A.D.A. regulations and more. Preventative measures will also be taught so the association can learn how to prolong the life of their common areas. Give Driveway Maintenance a call at: 800-432-1191 and visit their website at: www.driveway.net.

7. Hoarding 101 (1 CEU pending)



Board members and managers will learn the steps to take regarding hoarders and hoarding in a community setting. In conjunction with ServiceMaster, Matt Paxton from the television show Hoarders will be in attendance. To find out how ServiceMaster can help you, call 954-969-5906 and visit their website at: www.servicemaster247.com.

8. Plumbing Systems 101 (1 CEU)



The course provides a basic overview of Backflow preventers (maintenance and annual certification), pressure reducing valves (purpose and proper pressures), pumps/lift stations, basic plumbing systems, drain cleaning and safety. Managers and board members will come away from the class with a basic understanding of the plumbing systems in your building and how to mitigate damages and repairs to them through proper maintenance. To find out how Douglas Orr Plumbing can help you, call 800-DOUG-ORR and visit their website at: www.orrplumbing.com.

9. The Complaint Process



The Complaint Process is a guideline for unit owners on the process of filing a complaint with the Division. What is an Accepted complaint? It means a complaint received by the division from someone with standing to file a complaint, which addresses a subject within the jurisdiction of the division, under Section 718.501(1), F.S., and which meets the Divisions criteria.

To register for any of our seminars, please visit: www.condocrazeandhoas.com.

How to Hold Effective Board Meetings



Effective board of director's meetings are focused and designed to effectively get things accomplished. Here are some guidelines for holding effective Board of Directors meetings: 1. Board of Directors Meetings are held for making decisions. Board Members should all come prepared to make important decisions. 2. All Board Members actively participate in planning the meeting agenda in order to ensure that the most important decisions are addressed. 3. Reports and information necessary to make the needed decisions should be sent with the agenda in advance for everyone to read the contents prior to the meeting. 4. Board of Directors should ensure that all decisions be made fairly and should encourage adequate discussion and participation from all association directors and officers. 5. If the meeting should become confrontational, the board should always seek ways to negotiate a satisfactory resolution. Overall, effective board meetings depend on the board of directors working as a team with their property manager to identify common community goals and find ways to get everyone to work towards the completion of those goals. To find out more, please contact Associa at 954-922-3514 and visit their website at: www.associaflorida.com.

What You Need to Know about Roof Cleaning



Cleaning your roof may be an arduous task and you may be tempted to take the easy way. However, no matter what type of roof you have, you are not exempted from having algae and moss grow anywhere on your roof and cleaning it improperly may put your roof in great jeopardy. **Can high pressure ruin a roof? Absolutely, any tool improperly used can do damage to your property.** Most professional pressure cleaning equipment can be regulated. What's most important is the experience the person has behind the equipment. **Can algae and moss shorten the life of your roof? Yes.** Both algae and moss will grow into your tile and shingles. They can lift the edges of your roof up as they grow. They will loosen the granules. Roof algae and moss can start to grow on a brand new roof in as little as a year if the conditions are right. **How would I know if during the cleaning process if my roof was damaged?** Only work with a licensed roofing contractor who knows how to walk on your roof and make any remedial repairs during the cleaning and treatment of your roof. Roof cleaning is a delicate process and needs to be done by someone who understands roofing and who can recognize a problem and make the required corrections. Give Best Roofing a call at: 1-800-892-BEST and visit our website at: www.bestroofing.net.

KEEPING THE BUGS AWAY



Here are a few tips for winterizing your home and keeping it pest free: Seal openings. This keeps pests out and conditioned air in. Clear debris resting against or near the house, including fire wood and fallen leaves so that pest harborage is eliminated. Remove trash and tightly seal food after parties. Inspect potted plants for cockroaches and ants before bringing them inside. Thoroughly watering the plants will help flush out potential invaders. Inspect your luggage after returning from holiday travels so that bed bugs are not introduced into your home. Need pest control in your home or community, call Diligent at 800-487-8190 and visit their website at: www.diligentpest.com.

New Trends in Gated Community Security



Through the past few years, gated communities are becoming more aware of alternative solutions to the traditional live guard at a community's access point. The funds associated with having a live guard, stand watch 24/7 are better utilized in other areas within the community. Technology based solutions can replace a live guard if desired, without sacrificing security, and also compliment a security solution in which a guard is only needed during high traffic times, saving money for a community when alternative solutions can control access. Contact Envera today at 855-936-8372 and let Envera provide you a FREE security consultation for your community. Visit us at: www.enverasystems.com.

RESERVES ----- PLANNING FOR THE INEVITABLE



There can be unanticipated expenses that a community can face. Management and the Boards should have a guideline for classifying miscellaneous operating versus reserves expenses. Know what is being budgeted for in the reserves and cost code accordingly. Setting a cut-off expense limit around 1% of the operating budget that distinguishes reserve expenses from operating expenses is a good rule of thumb. Need help establishing your reserve fund? Call Custom Reserves at: 888-927-7865 and visit their website at: www.customreserves.com

SAVE MONEY WITH L.E.D. LIGHTING



It's a new year and recent legislation gave FP&L the "go ahead" for a 5% price increase for 2014. Now is the time to counter act that increase by converting your common area and general parking lighting to more energy efficient lighting...In particular we are offering a free sight evaluation to see exactly how you can save \$\$ while improving the quality of light in your development. Stop spending valuable money on changing out old bulbs over and over again...make the switch to Energy Efficient LED Lighting NOW! Call Jademar for a free evaluation today at 954-655-0115 and visit their website at: www.jadcoelectrical.com.

SIMPLE ENERGY SAVINGS TIPS FOR PROPERTY MANAGERS



More and more property managers are realizing the benefits of green technology. Now is the time to take inventory of your properties and implement quick and easy energy-saving measures. You may be surprised how easy the following changes can be to execute and how much you can actually save.

Occupancy sensors and dimmers are one of the easiest ways to reduce power consumption. Replace old light bulbs with energy efficient bulbs. Adjust your thermostat by a few degrees. Ceiling fans can significantly save on cooling costs. Unplug unused appliances. Turn off your computer at night. Implementing even a few of these tips will help conserve energy, lower utility bills, and cut down on the amount of wasted energy. You will help save the planet (and your budget)! Check out our website at www.elconelectric.com to learn more about Elcon Electric and the services we provide or call 800-446-8915.

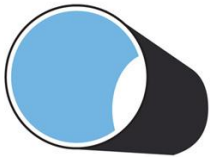
NOW IS THE TIME TO TACKLE THE ACCOUNTING



The busy holidays have come and gone but now communities will need to take the time to close out the 2013 accounting year. Here are some tips to help with closing out the year:

1099's: If you paid any subcontractor or an attorney for services more than \$600 during the year, the IRS requires that a Form 1099 be sent to the recipient by January 31, 2014. **Engage a Certified Public Accountant:** By now you should have engaged a C.P.A. for year-end services in order to get timely delivery of the financial statements. For fiscal years ended December 31, financial statements are due by April 30. **Review the Financial Statements:** Review the balance sheet and income statement to determine if they line up with expectations. Specifically the income statement should be looked at in relation to the budget and any variances should be investigated or an explanation should be documented. Call Gerstle Rosen and Goldenberg at 305-937-0116 and visit their website at: www.grgcpa.com.

PESKY PIPE PROBLEMS?



PIPELINING
TECHNOLOGIES, INC.

"Do you have problems with the pipes and sewers in your condo or H.O.A.? Are you overwhelmed by the cost of replacement or repair? Want to avoid having to rip up your concrete or destroy your landscaping? Pipeline Technologies has the low cost practical solution to repairing or replacing those pesky pipe and sewer problems. The **solution** is **Trenchless** Pipelining and **Trenchless**

Sewer Repair by Pipeline Technologies. View our website at: www.PipeLt.com Or, give Pipelining Technologies a call at: 561-853-5463.

WINTERIZE YOUR LANDSCAPING NOW



Even with some cool days mixed in, it is hard to say that it is Winter here in South Florida. In any event, now is the time to take a close look and evaluate the condition of your landscaping. The weak plants, palms, and turf areas really are more evident in the winter and may not survive. Poor fertility

and pest control programs during the growing season is very easy to notice. White Fly and Spiraling white fly also rear their ugly head this time of year and must be watched carefully. If you are in doubt about the condition of your landscaping don't hesitate to call on Garden Leader Corp to evaluate your community. Visit our website at www.garden-leader.com or give us a call at: 888-680-7035.

READY? SET. GO!



A tip from Condominium Concepts Management for a successful 2014! Now is the perfect time to establish a proactive **"plan of action"** for your community. If your community has professional Management Services, schedule a meeting with the entire Management Staff, Board of Directors and Committees (don't forget to post the meeting) and collaborate to develop a comprehensive action plan, by month, for 2014. Putting goals and objectives in writing with anticipated completion dates ensures that everyone is working together. A lot can be accomplished when working together as a team. Follow up monthly meetings will keep everyone on task so that all items are completed by year end. To reach Condominium Concepts, call 407-902-8104 or go to: www.condominiumconcepts.com.

CONDO CRAZE AND HOA'S



Remember to listen each Sunday at noon on 850 WFTL to our popular call-in show. You can also listen to the show on your smart phone or internet device by going to www.850wftl.com. Prior shows can be listened to on the show's website at www.condocrazeandhoas.com.

READ OUR BLOG



Remember to read our new HOA and Condo Law blog on-line at: www.hoa-condoblog.com. Each Monday we start the week discussing the latest and greatest issues effecting associations throughout our state.

Announcements



Glazer & Associates, P.A. is proud to announce that Eric M. Glazer has been named as a Super Lawyer by Thomson Reuters and for the second year in a row, Scott R. Shapiro has been named by the publication as a Rising Star. The accomplishment demonstrates excellence in the practice of law and is an honor that is limited to no more than 5% and 2.5% of attorneys in Florida, respectively.

DON'T FORGET TO JOIN OUR E-MAIL LIST!!!!

If you want to receive copies of our newsletters, updates to the law, notification of upcoming seminars, this week's topics on our radio show, or this week's subject in our association law blog, please make sure to visit www.florida-association-law.com and click on:



Sign up for our Email Newsletter at the top of the page.

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Jason Shepelrich: born December, 1973, B.A. Florida Atlantic University, 1995, J.D. Nova Southeastern University, 1998, U. S. District Court Southern District of Florida, 2000, U. S. Supreme Court, 2011.

Celena Nash: born February, 1982, Quincy, FL, B.A. Park University, 2004, J.D. Florida Coastal University, 2008, U. S. District Court Southern District of Florida, 2002.

The firm is devoted to representation of condominium and homeowner associations in Florida. The firm has represented hundreds of associations since its inception in 1994, regarding all facets of association law. In addition, the firm routinely litigates, mediates and arbitrates association cases in state and federal courts and before the Division of Florida Land Sales, Condominiums and Mobile Homes, Arbitration Section.