

1 EXHIBIT 1
2 RESOLUTION NO. 2023-

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4 A RESOLUTION OF THE MAYOR AND CITY
5 COMMISSION OF THE CITY OF HALLANDALE BEACH,
6 FLORIDA, SUPPORTING RESERVE STUDY
7 REQUIREMENTS ENACTED BY THE FLORIDA
8 LEGISLATURE TO PROTECT CONDOMINIUM
9 HOMEOWNERS AND SUPPORTING ADOPTION OF
10 ADDITIONAL RECOMMENDATIONS TO FIGHT AND
11 PENALIZE THEFT AND FRAUD IN CONDOMINIUM
12 ASSOCIATIONS; AND PROVIDING AN EFFECTIVE
13 DATE.
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16 WHEREAS, the City of Hallandale Beach, Florida is densely populated with
17 numerous condominium and homeowner associations; and
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19 WHEREAS, condominium associations are governed by Florida Statute 718 et.
20 Seq., "The Florida Condominium Act;" and
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22 WHEREAS, in 2022, the Florida Legislature passed amendments requiring
23 structural integrity reserve studies to be conducted and reserves to be budgeted for
24 anticipated expenditures; and
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26 WHEREAS, in light of recent tragedies and a number of structural failures
27 occurring in condominiums throughout Florida, these requirements were long overdue and
28 necessary to protect the health, safety and investment of condominium owners and
29 residents, and should not be weakened nor diminished in any way; and
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31 WHEREAS, in fact, a 2017 Miami-Dade Grand Jury identified a prevalent issue of
32 theft and fraud that further endangers the reserves that condominium associations should
33 maintain to ensure future repairs to structural integrity; and
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35 WHEREAS, the report found that while Florida has more than 20,000 licensed
36 condo association managers and more than 2,000 management companies, the Division
37 of Regulation within the state has only 53 investigators, who regulate all licensed
38 professionals statewide, including thousands not related to condos; and

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40 **WHEREAS**, the Grand Jury recommended the following safe guards to protect
41 homeowners while avoiding government overreach:

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43 • Amend the Florida Condominium Act (FCA) to provide criminal penalties
44 for the destruction of association records or the failure to provide records
45 upon lawful request, and personal liability for directors and board members
46 how fail to timely respond to records requests.

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48 • Amend the FCA to include criminal penalties for election fraud and for
49 board members and licensed administrators who act “in bad faith” for their
50 personal profit or are involved in fraudulent activities

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52 • Amend the law to allow DBPR to oversee Condominiums more effectively.
53 At a minimum, the Legislature should authorize DBPR to inspect records
54 and to personally fine board members for failing to comply with the law or
55 provide reports to members timely.

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57 • Expand the Florida Condominium Ombudsman’s ability to oversee
58 condominiums.

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60 **WHEREAS**, the Mayor and City Commission of the City of Hallandale Beach
61 strongly support maintaining the new structural integrity reserve study requirements and
62 further strongly encourage the Florida Legislature to adopt common sense
63 recommendations to strengthen the ability to detect and penalize fraud and theft that
64 endanger condominium reserves and resources, and thereby the lives of condo residents.

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66 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY**
67 **COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:**

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69 **SECTION 1.** The foregoing “Whereas” clauses are incorporated herein.

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71 **SECTION 2.** The Mayor and City Commission of the City of Hallandale Beach
72 strongly support maintaining the new structural integrity reserve study requirements and

73 further strongly encourage the Florida Legislature to adopt common sense
74 recommendations to strengthen the ability to detect and penalize fraud and theft that
75 endanger condominium reserves and resources, and thereby the lives of condo residents.

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77 **SECTION 4.** The City Clerk is hereby instructed to distribute this resolution to
78 associations known to the City and to other individuals and representatives, as
79 appropriate, including City Clerks of other municipalities, the Florida League of Cities and
80 the Broward Delegation.

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82 **SECTION 5. Effective Date.** This Resolution shall take effect immediately upon
83 its passage and adoption.

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85 APPROVED AND ADOPTED this _____ day of _____ 2023.

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JOY F. COOPER
MAYOR

92 SPONSORED BY: MAYOR JOY COOPER

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94 ATTEST:

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JENORGEN GUILLEN, CITY CLERK

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101 APPROVED AS TO LEGAL SUFFICIENCY
102 AND FORM

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JENNIFER MERINO
CITY ATTORNEY

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