



**Legislation
11.3.**

City of North Miami Beach
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North Miami Beach, FL 33162
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MEMORANDUM

TO:	Mayor and City Commission
FROM:	Commissioner Lynn Su
VIA:	Andrew Plotkin, Interim City Manager
DATE:	January 20, 2026

RE: Ordinance No. 2026-01 (First Reading) Creating Condominium, Cooperative and Homeowners Associations Transparency and Accountability (Commissioner Lynn Su)

Description

BACKGROUND

ANALYSIS:

RECOMMENDATION:

FISCAL/ BUDGETARY

IMPACT:

ATTACHMENTS:

Description

- Ordinance
- Business Impact Statement
- Staff Report

RESOLUTION NO. R2026-XX

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, CREATING THE “CONDOMINIUM, COOPERATIVE, AND HOMEOWNERS ASSOCIATIONS TRANSPARENCY AND ACCOUNTABILITY ORDINANCE.” ESTABLISHING REGISTRATION REQUIREMENTS FOR ASSOCIATIONS; REQUIRING DISCLOSURE OF KEY DOCUMENTS; ALIGNING WITH THE REQUIREMENTS OF HB 913 (2025) AS ADOPTED BY THE FLORIDA LEGISLATURE; REQUIRING ANNUAL REPORTING TO THE STATE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach is home to hundreds of condominium, cooperative, and homeowners’ associations; and

WHEREAS, it is in the public interest to increase transparency, accountability, and safety within these associations; and

WHEREAS, the Florida Legislature enacted House Bill 913 during the 2025 Legislative Session to strengthen governance, structural safety, financial transparency, and oversight of condominium and cooperative associations; and

WHEREAS, this ordinance is intended to align with the requirements of HB 913 (2025), as adopted by the Florida Legislature, including provisions for Structural Integrity Reserve Studies (SIRS), milestone inspections, financial disclosures, and mandatory reporting to the Department of Business and Professional Regulation (DBPR); and

WHEREAS, pursuant to Chapter 166, Florida Statutes, the City has the authority to enact ordinances that protect the public health, safety, and welfare, including regulation of community associations within its jurisdiction; and

WHEREAS, the City Commission finds this Ordinance to be necessary for the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Commission of the City of North Miami Beach, Florida, as follows:

Section 1. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Ordinance; all exhibits attached hereto are made a specific part of this Ordinance.

Section 2. The Condominium, Cooperative, and Homeowners Associations Transparency and Accountability Ordinance shall read as follows:

SECTION 1. SHORT TITLE

This ordinance shall be known as the “Condominium, Cooperative, and Homeowners Association Transparency and Accountability Ordinance.”

SECTION 2. DEFINITIONS

“Association” means a condominium association, cooperative association, or homeowner’s association as defined in Chapters 718, 719, and 720, Florida Statutes, respectively.

“Milestone Inspection” means the structural inspections required pursuant to Section 553.899, Florida Statutes, as amended by HB 913.

“Structural Integrity Reserve Study (SIRS)” means the reserve study required pursuant to Section 718.112(2)(g), Florida Statutes.

SECTION 3. REGISTRATION REQUIREMENTS

All associations operating within the City shall register annually with the City Clerk or their designee. The registration must include the following, submitted via the City’s designated online portal unless otherwise approved in writing by the City Clerk:

1. Name of the association
2. Business address and legal description of the properties
3. Contact information for the property manager or designated contact
4. List of officers and directors with mailing and email contact information
5. Website, if any
6. Corporate seal, if any
7. By-laws and association rules (most recent versions)
8. List of planned capital projects through January 1 of the following year
9. Adopted annual budget
10. Recorded declaration of condominium and amendments

11. Posting location for building permits
12. Pending litigation (cases filed within the past three years)
13. Insurance agent contact
14. Date of original building certification
15. Status of structural recertification
16. Most recent structural or safety inspection report
17. Name and license of community association manager (CAM) and CAM firm

SECTION 4. ANNUAL UPDATE

By January 30th of each year, each association shall submit an updated registration reflecting any changes to the required information. Failure to submit updated information shall be considered noncompliance under Section 6 of this Ordinance.

SECTION 5. FEES

An annual registration fee of \$150 shall be submitted with each application or renewal. The City Manager may establish additional administrative procedures regarding fee collection. Fee waivers may be considered under limited circumstances upon written request.

SECTION 6. ENFORCEMENT

- (a) If an association fails to register by the due date, the City shall issue a written Notice of Noncompliance, allowing 30 calendar days to cure the violation.
- (b) If no corrective action is taken within 45 days, the City may post a Notice of Noncompliance at the association's main entrance and notify all unit owners by mail or email, if available.
- (c) A civil fine of \$500 shall be assessed on the 45th day of noncompliance. A subsequent fine of \$1,000 shall be assessed on the 60th day of noncompliance.
- (d) The City may pursue enforcement through its Code Compliance Division or Special Magistrate, consistent with Chapter 162, Florida Statutes.

SECTION 7. STATE COMPLIANCE AND REPORTING

Pursuant to HB 913, all associations subject to state-mandated milestone inspections or Structural Integrity Reserve Studies (SIRS) shall:

- Submit reports and documentation to the City annually.
- Provide evidence of compliance or a timeline for required repairs.

- Authorize the City to report required data to the Department of Business and Professional Regulation (DBPR) by October 1 of each year.
The City's role is to facilitate compliance and reporting but does not replace the association's obligations under state law.

SECTION 8. SEVERABILITY

If any part of this Ordinance is found invalid by a court, the remainder shall remain in full force and effect.

SECTION 9. CODIFICATION

This Ordinance shall be incorporated into the City Code and the *sections may be renumbered, as necessary.*

SECTION 10. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption and shall apply to all associations operating within the City as of the effective date.

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APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **20th day of January 2026**.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF NORTH MIAMI BEACH ONLY:

GREENSPOON MARDER, LLP.

By: _____
CITY ATTORNEYS

Sponsored by: Mayor & Commission

BUSINESS IMPACT STATEMENT

Pursuant to Section 166.041(4), Florida Statutes and City Ordinance Requirements

ORDINANCE TITLE:

Condominium, Cooperative, and Homeowners Association Transparency and Accountability Ordinance

DESCRIPTION OF ORDINANCE:

This ordinance establishes registration, documentation, and compliance requirements for condominium, cooperative, and homeowners associations operating within the City of North Miami Beach. It aligns with the requirements of Florida House Bill 913 (2025) and includes provisions for annual registration, disclosure of governance and financial documents, structural safety inspections, and penalties for noncompliance.

BUSINESS ENTITIES IMPACTED:

This ordinance primarily impacts residential associations that operate as not-for-profit corporations under Chapters 718, 719, or 720, Florida Statutes. These include condominium associations, cooperative associations, and homeowners associations with multi-family units located in the City of North Miami Beach.

ESTIMATED REGULATORY COST TO BUSINESSES:

The ordinance imposes a \$150 annual registration fee for each qualifying association. Additional compliance costs may include administrative time to compile and submit required documents and reports. Most associations already maintain these documents and submit them under state law, so incremental costs are expected to be minimal for associations operating in good standing.

RATIONALE FOR ADOPTION:

This ordinance is necessary to enhance local transparency, promote structural safety, improve financial oversight, and ensure alignment with recently enacted state legislation (HB 913). It enables the City to assist with state reporting requirements and respond proactively to resident concerns regarding association operations.

STATEMENT OF COMPLIANCE WITH SECTION 166.041(4), F.S.:

This Business Impact Statement complies with the requirements of Section 166.041(4), Florida Statutes, and confirms that the City has considered the impact of the proposed ordinance on local business entities, including not-for-profit corporations and residential associations.

Prepared by: Zafar N. Ahmed

Title: Director of Community Development

Date: July 30, 2025



Community Development Department – Planning & Zoning Division
17050 NE 19th Avenue, 1st Floor
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(305) 948-2966

CITY COMMISSION MEETING		
Legislative Ordinance		
Meeting Date: XX/XX/2025	File No: 25-XXX	Application Name: Condominium, Cooperative, and Homeowner Association Transparency and Accountability Ordinance
<p>Request: To ensure local alignment and reinforce these state mandates, the City proposes the creation of the “Condominium, Cooperative, and Homeowner Association Transparency and Accountability Ordinance.”</p>		
<p>Background:</p> <p>The City of North Miami Beach is home to a significant number of condominium, cooperative, and homeowner associations. These associations are responsible for managing multi-unit residential properties, shared infrastructure, and community assets, directly impacting the quality of life for thousands of residents.</p> <p>In response to increasing concerns regarding structural safety, financial mismanagement, lack of transparency, and insufficient communication between associations and local government, the Florida Legislature enacted House Bill 913 in 2025. HB 913 mandates structural inspections, reserve studies, and state-level reporting requirements to enhance the accountability and safety of community associations.</p> <p>To ensure local alignment and reinforce these state mandates, the City proposes the creation of the “Condominium, Cooperative, and Homeowner Association Transparency and Accountability Ordinance.”</p>		
<p>Staff Analysis:</p> <p>II. PURPOSE AND INTENT</p> <p>The primary goals of the proposed ordinance are to:</p> <ul style="list-style-type: none"> • Improve transparency and accountability within residential community associations; • Establish a local registration and documentation process; • Track structural and financial compliance; • Support residents with access to key information; • Coordinate with state-mandated reporting requirements under HB 913; • Enhance safety oversight and long-term community resilience. • 		



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III. SUMMARY OF COMPLIANCE WITH CODE OF ORDINANCES

The ordinance includes the following key components:

1. **Annual Registration Requirement:**
All associations must submit an annual registration form to the City Clerk containing critical administrative and structural information.
2. **Required Documentation:**
Associations must provide organizational documents, inspection reports, litigation status, insurance details, and other materials to maintain transparency.
3. **State Compliance Alignment:**
Associations subject to milestone inspections or Structural Integrity Reserve Studies (SIRS) must submit compliance reports to the City and authorize the City to forward data to the Department of Business and Professional Regulation (DBPR).
4. **Fees:**
A \$150 annual registration fee is required to support administrative processing and oversight.
5. **Enforcement:**
A progressive enforcement framework includes warnings, fines (\$500–\$1,000), public notice of noncompliance, and potential referral to the City’s Code Compliance Division.
6. **Public Access and Transparency:**
Registered information will be used to develop a searchable database and improve communication with residents.

IV. ALIGNMENT WITH CITY POLICY GOALS

Comprehensive Plan Consistency:

The City’s Comprehensive Plan and the Florida Statutes establish that a development order and development approved by the City is consistent with the adopted comprehensive plan if the land uses, densities or intensities, capacity or size, timing, and other aspects of development permitted by such order or approval are compatible with and further the objectives, policies, land uses, and densities or intensities established in the comprehensive plan and land development regulations. The proposed text amendment ordinance is consistent with and furthers the following policies of the North Miami Beach Comprehensive Plan:

Policy 1.3.1

Enforce the City Property Standards Ordinance to achieve correction of substandard housing.

Policy 1.3.3

Work with the residents of each neighborhood to achieve stabilization and revitalization of the City’s residential areas through the implementation of programs and capital improvements specifically aimed at improving the quality of those areas.

Policy 1.3.4

Continue to implement inspection and code enforcement programs to ensure housing quality and safety.



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In Summary: This ordinance supports the City's Comprehensive Plan and Strategic Priorities by:

- Promoting **safe and resilient housing**;
- Enhancing **government transparency and responsiveness**;
- Improving the **quality of life in multifamily and HOA communities**;
- Strengthening **intergovernmental coordination** with state regulatory agencies.

V. FINANCIAL IMPORDINANCE

The annual registration fee will offset administrative costs associated with tracking, processing, and compliance enforcement. No additional budget appropriation is required at this time.

VI. RECOMMENDATION

Staff recommends **approval of Ordinance No. 2025-XXX** to implement the Condominium, Cooperative, and Homeowner Association Transparency and Accountability Ordinance.

This ordinance will establish a foundation for improved transparency, structural oversight, and public trust in North Miami Beach’s residential associations

<p>Project Planner: Name Title Department</p>	<p>Review Dates: <u>Planning & Zoning Board:</u> XX XX, 2025</p> <p><u>City Commission Meeting:</u> XX XX, 2025 (1st Reading) XX XX, 2025 (2nd Reading)</p>	<p>Submittal Attachments</p> <ol style="list-style-type: none"> 1. Staff Report 2. Ordinance 3. Business ImpOrdinance Statement Form 4. Presentation
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