

RESOLUTION NO. 16 - 2409

A RESOLUTION OF THE TOWN OF SURFSIDE, FLORIDA, URGING THE FLORIDA LEGISLATURE TO INCREASE PROTECTIONS FOR RESIDENTS OF CONDOMINIUMS DURING THE CONDOMINIUM TERMINATION PROCESS; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE SPEAKER OF THE FLORIDA HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE FLORIDA SENATE, THE GOVERNOR OF THE STATE OF FLORIDA AND THE FLORIDA LEAGUE OF CITIES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AUTHORIZATION AND IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Section 718.117, Fla. Stat. "Termination of condominium" was substantially amended in 2007 as a way to encourage developers to invest in financially distressed condominiums as a result of the downturn in the economy; and

**WHEREAS**, one of the major changes implemented by the 2007 Amendment was to reduce the previous statutory 100 percent approval requirement for optional condominium terminations to an 80 percent approval requirement (unless a particular condominium's declaration provides for an even lower approval percentage), provided that not more than 10 percent of the unit owners affirmatively object to the termination; and

**WHEREAS**, it is in the best interest of the residents of the Town of Surfside to increase protections for the Town's residents of condominiums under the Condominium Termination Law including, but not limited to, restoring the percentage approval for condominium termination from 80 percent to 100 percent.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

**Section 2. Urging by the Town of Surfside Town Commission to the Florida Legislature to increase protections for residents during the condominium termination process.** That the Town of Surfside, Florida urges the Florida Legislature increase protections for the residents of the Town of Surfside under the Condominium Termination Law including, but not limited to, restoring the percentage approval for condominium termination from 80 percent to 100 percent.

**Section 3. Authorization and Implementation.** The Town Manager is hereby authorized to take any and all action necessary to implement this Resolution.

**Section 4. Direction to the Town Clerk.** The Town Clerk is hereby directed to send a copy of this Resolution to the Speaker of the Florida House of Representatives, the President of the Florida Senate, the Governor of the State of Florida and the Florida League of Cities.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 13<sup>th</sup> day of December, 2016.

Motion by Commissioner Paul.

Second by Mayor Dietch.

**FINAL VOTE ON ADOPTION**


Commissioner Daniel Gielchinsky	<u>NO</u>
Commissioner Michael Karukin	<u>yes</u>
Commissioner Tina Paul	<u>yes</u>
Vice Mayor Barry Cohen	<u>NO</u>
Mayor Daniel Dietch	<u>yes</u>

  
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Daniel Dietch, Mayor

ATTEST:

  
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Sandra Novoa, MMC, Town Clerk

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**

  
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Linda Miller, Town Attorney