



*Thank you for volunteering to serve on your Board and helping to maintain MetroWest as a great community in which to live. Your dedication and commitment are greatly appreciated by all members of the community.*

*Welcome to MetroWest Board Briefs, distributed to HOA and COA board members and management company representatives in our community. Our goal is to connect you directly with the MetroWest Master Association (MWMA) Through Board Briefs, we address common governance and management issues at the Board level.*

*In this issue of Board Briefs, we address legislative updates that can impact your condominium community. We encourage you to discuss these changes with your Property Manager and Legal Counsel.*

## **Changes this year were to Chapter 718 of the Florida Statutes, the Condominium Act.**

### **Key Legislative Changes:**

#### **1. Reserve Funding and Financial Flexibility**

- Associations may now utilize loans or lines of credit to meet reserve funding requirements. Temporary deferrals of reserve contributions are permitted, provided that critical repairs are prioritized.
- Deadlines for Structural Integrity Reserve Studies (SIRS) have been extended, offering associations more time to comply
- Plan for the three-year insurance appraisal schedule.

#### **2. Structural Integrity and Milestone Inspections**

- Buildings with three or more stories are required to undergo milestone inspections at 30 years of age, or 25 years if located within three miles of the coast, with subsequent inspections every 10 years.
- Inspection records must be posted online and shared with unit owners to maintain transparency. Wikipedia

#### **3. Annual Budget Approval**

- If a proposed budget exceeds 115 percent of the prior year's budget, unit owners must approve the increase.

#### **4. Website/Records Access**

- Make sure your website or online portal is ready to host required documents (meeting minutes, video recordings, bank statement summaries, etc.).

#### **5. Electronic Voting and Meetings**

- Associations may hold meetings by video conference
- Meetings must be recorded and held within 15 miles of the condominium or in the same county.
- If 25 percent of voting interests petition for it, the board must adopt a resolution allowing electronic voting. KSN Law Firm

#### **6. Register with Division**

- Set up an online account with Florida's Division of Condominiums, Timeshares, and Mobile Homes. Collect all required info for the first annual submission, which was Oct. 1, 2025.

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## Annual Elections: Separation of Annual Meeting Quorum and Election Ballots.

### 7. Condominium Associations Election of the Board at the Annual Meeting

- Unless the bylaws provide for a lower number, the quorum at an annual meeting of the members (unit owners) is a majority of the voting interests (50 percent plus 1)
- The election of the board of administration must be held on the same day and at the same place as the annual meeting unless the governing documents provide otherwise; however, although a quorum is required at your annual meeting, this is not the same as the voting interests needed to have an election. These are two separate actions.
- For residential condominiums, general proxies may not be used for the election of board members (though limited or general proxies may be used for quorum-establishment for the annual meeting).
- At least 60 days before a scheduled election, the association shall mail, deliver, or electronically transmit, by separate association mailing or included in another association mailing, delivery, or transmission, including regularly published newsletters, to each unit owner entitled to a vote, a first notice of the date of the election.
- The association shall mail, deliver, or electronically transmit a second notice of the election to all unit owners entitled to vote, together with a ballot that lists all candidates, not less than 14 days or more than 34 days before the date of the election.
- If 20 percent or more of eligible voting interests cast a ballot, the election is considered valid even if a quorum for the meeting is not present.
- An election is not required unless more candidates file notices of intent to run or are nominated than board vacancies exist.

### Homeowner Associations – Statute 720

- Elections of directors must be conducted in accordance with the procedures set forth in the governing documents of the association.
- Regarding quorums, unless a lower number is provided in the bylaws, the percentage of voting interests required to constitute a quorum at a meeting of the members shall be 30 percent of the total voting interests.
- An election is not required unless more candidates file notices of intent to run or are nominated than board vacancies exist.

**NOTE:** It is important to understand the difference between meeting quorum for the annual meeting and achieving the required voting interests for the election. Even though the election is held in conjunction with the annual meeting, they are separate actions that are independent of each other. Remember: Just because you don't have a quorum, you still hold the election.

