



Estoppel Reform Bill

Effective July 1, 2017, Florida Statutes, 718.116, 719.108 and 720.30851 regarding condominium, cooperative, and homeowner associations, will be revised to modify the estoppel requirements.

Key revisions include:

- Lessening of the amount of time an association has to issue an estoppel from 15 days to 10 days after receipt of an electronic or written request from the owner/mortgagee or agent thereof. **If the association does not comply with providing within the 10 days, then the estoppel fee is waived.**
- Estoppel Certificates must have an effective date of 30-days if hand delivered or sent via email. If mailed by regular mail the effective period must be 35-days. If any amendments are made to the estoppel the effective date must be extended to start a new 30/35 day effective period.
- The estoppel must be sent on the same day that it is dated/created.
- The association may require advanced payment of the estoppel prior to closing of the transaction. However, if the closing does not occur, a refund request may be sent in writing within 30 days of the cancellation, and the association shall return the estoppel fee within 30 days of receipt of the refund request.
- The association is now limited in the amount it may charge for an estoppel as follows:
 - If the account is current up to but not to exceed \$250.00.
 - If the account is delinquent an additional \$150.00 can be added.
 - If the estoppel is requested on a “rush” an additional \$100.00 can be added and the estoppel must be provided within 3 business days.
- The association must list on its website the person/entity with a street or e-mail address where estoppel requests should be sent.

All estoppels MUST include the following information:

- Date estoppel was issued.
- Name of certificate requestor.
- Owner information.
- Address for unit.
- If there are any parking/garage spots associated with the unit.
- If the assessments are delinquent and in collections the name, and contact information for the attorney or collection agency that is handling.
- The fee being charged for the estoppel in compliance with the new fee limits.
- Breakdown of the assessment owed to include:
 - Amount and frequency of the assessment.
 - When the next installment is due.
 - Paid good-thru date.
 - Whether any special assessments are being charged.
 - An itemized breakdown of all assessments, special assessments, and fees owed through the estoppel certificate good-thru date.
 - Any additional fees being charged, i.e. transfer fee, capital contribution, etc.
- Additional information:
 - Whether there are any violations associated with the property.
 - Contact information for any insurance maintained by the association for the unit.
 - If association approval, or first right of refusal is retained.
 - If the property is subject to any other associations, and contact information for the additional associations.