

2013

THE YEAR IN REVIEW



We enjoy partnering in education with civic groups in Florida and across the U.S.

Firm Expands

Taylor & Carls, P.A., one of the state's leading community association law firms with offices in Orlando, Tampa, and Palm Coast joined the Firm! Taylor & Carls is the preeminent condominium and homeowner association law firm in Central Florida and we are all excited to welcome the attorneys and staff to the Becker & Poliakoff family. We likewise extend a warm welcome to the new community associations now receiving Community Update.



Our New Jersey team featuring David Ramsey and Jennifer Loheac are ready for action.



A YEAR OF COMMUNITY UPDATE

THE ARTICLES

VOLUME I

C.S.I.: COMMON AREA

Dog DNA Registration for Poop Crackdown

By Lance Clouse, Esq.

BACK TO BASICS: THE CONDOMINIUM/COOPERATIVE ASSOCIATION ELECTION PROCESS

By Mark Friedman, Esq.

MAXIMIZING RENTAL INCOME

By Andrew Provost, Esq.

VOLUME II: THE COTTLE ISSUE

STUCK IN A BAD DEAL MADE BEFORE TURNOVER?

Get me out of this Contract - Part 1

By John Cottle, Esq.

STUCK WITH A MANAGEMENT OR MAINTENANCE CONTRACT?

Get me out of this Contract - Part II

By John Cottle, Esq.

WHAT IF THERE IS A CONFLICT OF INTEREST?

By John Cottle, Esq.

CAN A COMMUNITY ASSOCIATION "RETURN" ITS CONTRACTOR AFTER A BETTER PRICE IS FOUND?

By Haim Benjamin, Esq.

VOLUMES III & IV: COMBINED ISSUE

STRATEGIES AND LEGAL TOOLS TO DIFFUSE DIFFICULT PEOPLE

By Gregory W. Marler, Esq.

CAN HE RIDE THAT THING IN HERE? *Motorized Scooters, Mopeds, Segways, and Golf Cart Use and Control*

SUBSTITUTING MAILINGS WITH ELECTRONIC NOTICE

Can You Use E-Mail?

WHY SHOULD THE CONDOMINIUM ASSOCIATION REQUIRE BONDS FROM THE RENOVATION CONTRACTOR

CONDO CANNOT COLLECT PAST DUE ASSESSMENTS FROM INVESTOR AFTER FORECLOSURE

Association Becomes Liable for Past Due Assessments Upon Acquisition of Title

By Lisa Magill, Esq.

VOLUME V: SPECIAL HURRICANE/DISASTER PREPAREDNESS ISSUE

COURT DECISIONS ADDRESSED INSURANCE COVERAGE AND CLAIMS HANDLING

By Lisa Magill, Esq.

IMPENDING HURRICANE SEASON SHOULD SERVE AS REMINDER TO COMMUNITY LEADERS

Check List for Disaster Preparation

WEBINAR WITH REPRESENTATIVE MORAITIS REVEALS INSIGHT INTO LEGISLATIVE PROCESS

VOLUME VI: CONTRIBUTIONS FROM OUR BOARD CERTIFIED CONSTRUCTION LAWYERS

DON'T UNDER ESTIMATE THE IMPORTANCE OF REPAIR ESTIMATES

When Evaluating Your Construction Defect Claim

By Michele Ammendola, Esq.

ARBITRATE, MEDIATE, OR LITIGATE?

By Kenn Goff, Esq.

CAUTION

Watch Out for Construction Scams in 2013

By Kenn Goff, Esq.

VOLUME VII

THE CONDO CONUNDRUM...

Water Leaks in Condos, Who Fixes...Who Pays?

By John Cottle, Esq.

BLANKET RECEIVERSHIP

How a Rarely Utilized Remedy is Making its Way into the Main Stream

By Adam Cervera, Esq.

FLOOD INSURANCE REFORM

How will it Affect You?

By Lisa Magill, Esq.

VOLUME VIII

IT TAKES A SECOND TO SAY GOODBYE

But How Long do you Have to Wait for an Employee to Vacate the Premises?

By James Robert Caves III, Esq.

FLORIDA SUPREME COURT DECIDES HOA CONSTRUCTION DEFECTS CASE

Construction Defect Law Should Not Apply to Defective Infrastructure Improvements Discovered Prior to Effective Date of New Law

By Sanjay Kurian, Esq.

MOLD REMEDIATION

By Thomas Code, Esq.

VOLUME IX: CONTRIBUTIONS FROM OUR BOARD CERTIFIED CONSTRUCTION LAWYERS

TOP TEN QUESTIONS REGARDING CONSTRUCTION DEFECTS

The Ten Most Frequently Asked Questions Facing Potential Claims for Construction Defects

By Thomas Code, Esq.

CONTRACTING WITH A DESIGN PROFESSIONAL REQUIRES NEW CONSIDERATIONS

By Michele Ammendola, Esq.

PROMISES, PROMISES...

Green Warranties in Construction Contracts

By Mark J. Stempler, Esq.

VOLUME X

PROPERTY INSURANCE

What's in Your Policy?

By John Cottle, Esq.

NOTICE REQUIREMENT FOR SETTING CONDOMINIUM INSURANCE DEDUCTIBLES

By Greg Marler, Esq.

RULES AND REGULATIONS 101

By David Muller, Esq.

NO DOGS ALLOWED

Does Not Equal Housing Discrimination

By John Townsend, Esq.



CALLing all Community Leaders

CALL was a highly charged influence in the 2013 legislative session. Executive Director Yeline Goin met with senate and house committee members personally to describe how mortgage foreclosures and the foreclosure crisis continued to be a major negative impact on community associations. Her testimony at the House Civil Justice Subcommittee Workshop imparted the importance of creating a tool for community associations to deal with mortgage foreclosures. The Order to Show Cause provision in HB 87 ultimately became law. Immediately after session, Yeline hosted a webinar with Representative Moraitis to discuss the legislative changes. Now Yeline is hard at work reviewing new proposals and getting ready to hit Tallahassee's pavement again, after celebrating FSU's glorious national championship.

CALL
COMMUNITY ASSOCIATION
LEADERSHIP LOBBY



Firm attorney Michael Gongora with U.S. Rep. Debbie Wasserman Shultz.

Ft. Lauderdale Mayor Jack Seiler, with Firm Shareholders, who said: "We are so pleased to welcome the prestigious law firm of Becker & Poliakoff to downtown Ft. Lauderdale."



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Ken Direktor presented our new CEU class, "Critical Documents - A Primer on Governing Documents" at the South Florida Cooperator's Condo, HOA & Co-op Expo



FIRM SHAREHOLDER ROSA DE LA CAMARA

was appointed to a second term on the Florida Community Association Living Study Council. The Community Association Living Study Council was created in 2008 by the Florida Legislature to receive public input regarding issues of concern with respect to community living and make recommendations for legislative changes to the Florida Legislature.

P3 Practice Team Chair Lee Weintraub along with Governor Scott, Jennifer Drake and George Burgess of the Firm



Firm attorney Rep. Steube receiving award from CAI.



The Firm's Namesake and Management Committee celebrating 40 years of legal service to Florida and the world.

