

Is Your Building Nearing its 40th Birthday?

January 4, 2019

By: Donna DiMaggio Berger



Broward is one of two Florida counties (Miami-Dade is the other) which requires multifamily buildings that are larger than 3,500 square feet (in the case of Miami-Dade it is buildings in excess of 2,000 square feet) and are forty years old or older to be inspected for structural and electrical safety and “certified”. Thereafter, those buildings must be re-inspected every ten years.

The Broward program became effective in January, 2006 and was modeled after Miami-Dade County’s program which was established in the mid 1970’s. This certification process may be both confusing and troubling to volunteer boards and their managers and the point of this blog post is to shed some light on what must be done.

The starting point for most older multifamily buildings is a letter from their local Chief Building Officer which will outline the minimum structural and electrical guidelines. Associations must hire their own engineer whose report must then be submitted to the Building Department for review.

The yearly schedule for the 40-year Building Safety Schedule is:

January: Board of Rules and Appeals obtains building data from the Property Appraisers Office and forwards it to each city.

February: Building Officials notify property owners whose buildings are subject to the Safety Inspection Program for the current year.

March-April-May: 90-day period for property owners to return the structural and electrical checklist to the City/County.

June-November: 180-day period for those buildings requiring structural or electrical repairs to complete the work.

Since neither the City nor the County will send out their own engineers to inspect your building, your selection of engineer is crucial. Your contract with

the engineer should be reviewed in advance by association counsel and should not permit the engineer to submit the report to the City or County before the Board has reviewed same and given the green light to submit the report. If your building is nearing its fortieth birthday, you should also start planning financially to undertake any necessary repairs revealed by the report. This financial planning may include a vote to use existing reserve funds for repair purposes or to obtain a Line of Credit for those repairs. Naturally, having your association counsel guide you through your financial options is optimal.

The following items will need to be reviewed by your engineer and included in your structural and electrical checklist:

1. Masonry Walls: identify cracks, spalling and rebar corrosion.
2. Floor and Roof Systems: describe type of system framing, material, condition, types of drains, scuppers and condition and existence of equipment such as water tanks, cooling towers, air conditioning equipments, signs and other heavy equipment and condition of supports.
3. Steel Framing Systems: describe condition of paint and degree of corrosion. Note any cracking or spalling of concrete and where covering was removed for inspection. Note condition of elevator shelves beams and connections and machine floor beams.
4. Concrete Framing Systems: note general condition and any rebar corrosion or cracking of structural system.
5. Windows: note the type of windows, condition of fasteners and latches, type and condition of perimeter sealants and mullions, type and condition at operable vents.
6. Wood Framing: Describe floor system, Note condition connector or stress, rotting or termite damage, alignment problems, bearing deficiencies and any significant damage that might affect safety and stability of building structure.
7. Exterior Finishes: note any structural deficiencies in the stucco, veneer, soffits and ceiling.
8. Electrical Service: Review size, amperage, voltage, meter and electrical rooms switchboards, motor control center, grounding, conductors, auxiliary gutters, wireways, busways, electrical panels, disconnects, branch circuits, conduits and raceways, low voltage wiring methods, building illumination, fire alarm system, smoke detectors, generator, site wiring, swimming pool and spa wiring, and wiring to mechanical equipment.

While communities in Broward and Miami-Dade Counties may lament having to undertake this 40-year certification process while their counterparts elsewhere in the state do not, the reality is that such a program helps ensure the continued integrity of your building particularly in hurricane-prone Florida. Thus, boards operating multifamily buildings elsewhere in the Sunshine State would be well advised to undertake their own routine structural and electrical inspections.
