

# 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 LAWYERSTOP 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 & Poliakov 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.

