



Opinion articles provide independent perspectives on key community issues, separate from our newsroom reporting.

OP-ED

Florida's HOA problems won't be fixed with bill filed by Miami lawmaker | Opinion

By **Donna DiMaggio Berger**

February 13, 2026 5:00 AM  Gift Article



A bill filed by Florida Rep. Juan Carlos Porras, R-Miami, would change regulations of homeowners' associations. AndreyPopov
Getty Images/iStockphoto

WINREVAIR can improve your ability to exercise and perform normal activities with fewer symptoms,...



Important Safety Information

Before taking WINREVAIR and during treatment, tell your healthcare provider:

- About all of your medical conditions and of the medicines you take, including over-the-counter medicines, vitamins, and herbal products.

[Patient Information](#) [Prescribing Information](#)
[Instructions for Use \(1-vial kit\)](#)

 **Listen to this article**

Florida has no shortage of challenges when it comes to homeowners' associations.

Anyone who lives in one, serves on a board or advises them professionally can rattle off examples of mismanagement, lack of transparency or outright abuse. Those problems are real. They deserve serious solutions.

TOP VIDEOS

AD

What they do *not* deserve is [House Bill 657](#).

HB 657, sponsored by Rep. Juan Carlos Porras, R-Miami, proposes to solve the problem of poorly regulated HOAs by deregulating the community association lifestyle almost entirely. That's not reform. That's surrender.

The bill creates a process allowing residents to petition to dissolve their HOA if a supermajority approves a termination plan. Like other community association legislation over the years, the ripple effects can be quite negative.

When allowing a supermajority of owners to terminate their HOA, legislators need to understand how doing so can impair property values, trigger loan or insurance complications, and leave owners exposed to personal liability for shared

infrastructure. Experience has shown that uninformed people can and do vote against their self-interests.

The premise of the bill appears to be that because some associations operate badly, the state should step back and remove oversight altogether by allowing these associations to cease to exist. In any other context — banking, insurance, healthcare or even condominium regulation — that idea would not be seriously considered. Yet when it comes to HOAs, tens of thousands of which govern millions of Floridians, we are asked to accept that less accountability is somehow the answer.

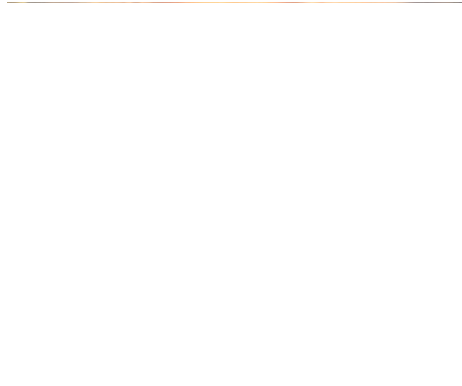
Mandatory HOAs are not casual social clubs. They maintain and insure common areas, including bodies of water in many instances. They enforce covenants that affect property rights and quality of life. They oversee security in many cases as well as essential services. For most homeowners, opting out of the association framework is not a realistic choice. That is precisely why regulation exists in the first place.

When associations fail, it is often because of insufficient enforcement of existing laws, lack of education for volunteer board members, lack of education for purchasers and renters or the absence of meaningful remedies for residents when things go wrong. The answer to those shortcomings is smarter regulation, clearer standards and better enforcement — not regulatory abandonment.

HB 657 moves us in exactly the wrong direction by calling for the termination of HOAs. It strips away protections for homeowners while leaving them exposed to the very abuses lawmakers routinely hear about in committee rooms. It offers no meaningful replacement framework, no improved dispute resolution, and no safeguards against bad actors. It simply says, in effect: “Good luck on your own.”

Florida has spent the last several years grappling with the consequences of under-regulation in the condominium context, with tragic and expensive results. We should be learning from that experience, not repeating it in another corner of community living.

To be clear, HOA reform is both necessary and overdue. But reform requires nuance, balance and a genuine understanding of how these communities function day to day. Deregulation masquerading as reform helps no one — except those who benefit from operating in the shadows.



HB 657 currently has no Senate companion, and that is fortunate because it means the bill has not gained much traction. Lawmakers still have time to pause, listen to stakeholders and pursue thoughtful solutions that protect homeowners while supporting well-run associations.

Florida doesn't need fewer rules for HOAs. It needs better ones — and the will to enforce them.

Donna DiMaggio Berger, a lawyer, is a shareholder in Becker's Condo, Co-Op & HOA practice in Fort Lauderdale and vice chair of Becker's statewide condo, co-op and HOA practice.

Want to see more content like this?  