



Q&A with Attorney Nataly Vazquez, Shareholder, Becker & Poliakoff

JULY 7, 2026

Becker's Nataly Gutierrez Vazquez on Navigating the Most Pressing Issues Facing Miami Condo and HOA Boards



Nataly Vazquez, Shareholder, Becker & Poliakoff

Nataly Gutierrez Vazquez is a shareholder in **Becker's** Miami office and a member of the firm's nationally recognized Condo, Co-Op & HOA practice. She serves as general and litigation counsel to condominium, cooperative, and homeowners' associations throughout Florida, providing strategic legal representation that focuses on delivering practical solutions and clear, straightforward guidance. Her goal is to break down complex legal topics into understandable terms so her clients can make informed, confident decisions.

Ms. Vazquez is Board Certified by the Florida Bar in Condominium & Planned Development Law, a distinction held by only 5% of Florida Bar attorney members. Board certification is the Florida Bar's highest level of competence, professionalism, and expertise and requires peer review, ongoing education, and a rigorous exam. Her practice focuses on covenant enforcement, governance, dispute resolution, and day-to-day operational counsel, helping community associations navigate legal risks while maintaining effective operations.

She is also committed to mentoring the next generation of attorneys. She serves as an adjunct professor at St. Thomas University School of Law, where she teaches Florida Condominium Law. Her approach in the classroom mirrors her work with clients—focused on clarity, structure, and real-world application.

As a Miami native, how has growing up in South Florida shaped your approach to representing condominium and homeowners' associations?

Growing up here, community associations were never just an idea to me; they were where I lived. They were where my neighbors lived, disagreed, and supported each other. South Florida is full of close-knit, diverse communities, and that has shaped how I work. I see boards as volunteers doing their best for their neighbors, often with little training and under real pressure. Being from here means I understand what's at stake on a personal level. When we talk about aging coastal buildings or hurricane preparedness, it's about the community I grew up in. That keeps me focused on the people behind what can otherwise seem like a very technical area of law.

What are the biggest challenges facing Miami-area condominium and homeowners' associations today?

The three biggest challenges I see are financial, structural, and regulatory, and they're all coming to a head at the same time. Financially, insurance costs have gone up a lot, and new reserve funding rules mean associations can't put off saving for big repairs anymore. Structurally, older buildings are facing milestone inspections that reveal long-overdue maintenance, and fixing those issues is costly. On the regulatory side, laws are changing quickly. Boards are working harder than ever just to keep up and follow the rules, and many are feeling the pressure. The associations that do best are the ones that plan ahead instead of reacting to every crisis.

How has the post-Surfside regulatory environment changed the way condo boards operate?

The changes have been significant. Reserve funding was never truly optional. It was always mandatory, but the law came with the ability to waive or reduce it if the community voted to do so. Many communities used that option to keep assessments lower. Now, for many structural reserves, boards can no longer choose to waive or reduce funding, so that period is over for structural components. Buildings with three or more habitable stories must complete milestone inspections and Structural Integrity Reserve Studies, and boards can't skip or underfund those reserves in their budgets. This means boards are no longer just thinking about what they need for the immediate year. They now have to plan for long-term maintenance goals. The good news is they don't have to do it alone. In fact, the law doesn't allow them to, because those Structural Integrity Reserve Studies exist to guide and support that long-term planning. The new rules have raised the level of financial discipline required, and while the transition has been tough for some communities, especially those that hadn't been saving, the main goal is clear: keeping people safe in their homes.

What should South Florida associations be doing now to prepare for hurricane season and upcoming milestone inspections and repairs?

My best advice is to start preparing well before a storm is even a threat. Hurricane preparedness is part of the board's fiduciary duty, not something to think about at the last minute.

When it comes to storms, a few priorities are key. First, review your emergency plan, including key contacts, evacuation and communication protocols, vendor information, and residents with special needs. Second, check your insurance values against a current replacement cost appraisal. Underinsurance is one of the most damaging mistakes a board can make and can expose directors to claims of breaching their fiduciary duty. Third, digitize your records, including governing documents, contracts, policies, and financials, since paper records can be lost in flooding and you'll still need to respond to records requests after a storm. I also recommend lining up key vendors now, from restoration to debris removal, and confirming post-storm response times and pricing in writing before contractors are overwhelmed. Communicate early and often with residents; most chaos after a storm comes from confusion that could have been avoided with clear communication. Remind owners that boards have real statutory emergency powers during a declared emergency, so they understand the authority the board may need to use.

For inspections, the message is the same: don't wait. If your building is at or near the milestone threshold, schedule a qualified engineer as soon as

possible. These professionals are in high demand and deadlines are firm. If a milestone inspection is due, you can often coordinate it with your reserve study to save money, since the engineer is already evaluating the structure.

The main point is that early planning gives you options, while waiting limits them. No board can prevent a hurricane, but every board can choose how prepared it is when one comes.

Where do you most often see governance or compliance issues arise in association board decisions?

Most issues come up in everyday procedures like meeting notices, records access, and how fines and enforcement are handled. These details may not seem exciting, but they're where associations often run into trouble because the rules are strict and recent laws have made them even tougher. Records access is a common problem; owners have clear rights to see records, and boards that get defensive only make things worse. Enforcement is another area: fines must follow the right notice and hearing steps to be valid. My advice to boards is almost always the same: take your time, follow the process, and keep good records. Most compliance problems happen not because of bad intentions, but because people try to take shortcuts.

Many boards still conflate condominiums and HOAs or struggle with basic governance procedures. Where do you see the biggest education gaps, and how can board training be better supported across the industry?

The biggest problems from mixing up condos and HOAs usually happen during elections. Condos and HOAs follow different laws. Chapter 718 applies to condos, and Chapter 720 applies to HOAs. Their election processes are truly different. Condo elections have strict rules, like specific notice requirements, a two-notice mailing process, and special envelopes. HOA elections are different and mostly follow their own documents. I often get calls from HOA members who think their board is doing things wrong, but really, they're comparing their HOA to condo rules they've heard about. The board isn't breaking the rules; the owner is just using the wrong law. This shows why it's important to know the difference in real situations, not just in theory.

Elections are the clearest example, but the same confusion happens with reserves, meeting notices, and records rules, which also differ between the two laws. The good news is that the state now requires board members to take certification courses and continuing education. That's a big step forward. But that training is just the beginning. The best boards keep learning, asking their

management and legal teams for advice as issues come up, instead of waiting until there's a problem. Taking one class helps, but making a habit of asking questions before acting is what really keeps boards out of trouble.

Looking ahead, what trends or issues do you expect will most significantly shape the future of community association law in South Florida?

There are three main trends to watch. First, the financial challenges around reserves and insurance will keep changing communities, and I think affordability will become a big topic. Second, the legislature keeps passing major bills, so boards and their advisors need to stay flexible. Third, I expect more focus on accountability and transparency, especially with records, elections, and conflicts of interest, as new enforcement tools are used more. At the heart of all this is a big question: how do we keep aging communities safe, funded, and livable? That's the challenge that will shape this area of law for years.