

Guest commentary: Condo owners need reprieve from retrofitting rules

Ewing R. Sutherland / Naples

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As a follow-up to Jenna Buzzacco-Foerster's report in the Daily News on the Naples City Council workshop on Jan. 19, I believe readers would wish to know of steps being taken at the state level to ameliorate the effect on condominiums of the various fire-related retrofitting issues.

We are not only talking about retrofitting of sprinklers in buildings over 75 feet high, but now an expensive slew of new retrofit requirements affecting all condominiums in Naples and Florida, whatever their size and height, with potentially serious economic consequences.

The 2008 Fire Loss Report offers no statistics which demonstrate that there is a serious risk to life from fire in concrete-block-construction buildings which would justify, or even support, retrofitting either sprinklers or the new requirements at the enormous costs involved. The report actually highlights that fire risk in structures has tumbled dramatically and consistently over the years, a conclusion we should all view with satisfaction and not rush to heap enormous costs for unnecessary work on hard-pressed condominium associations and owners, particularly in the current economy.

The costs and economic issues were recognized by our local state representative, Matt Hudson, who co-sponsored a bill last spring to give buildings affected by the retrofitting requirement respite from the 2014 deadline to complete the work. Although passed by both houses unanimously, the governor vetoed the bill. This was the second such veto in three years for a bill unanimously approved by our legislators!

As a member of, and in conjunction with, the Advisory Council to the Community Advocacy Network (CAN) I have worked with Hudson and Rep. Elyn Bogdanoff (Broward/Palm Beach) who have co-sponsored a new bill, H.B. 561, which will, if passed this spring, give the final decision to the owners by a two-thirds affirmative vote to forgo retrofitting sprinklers or an engineered life-safety system.

This vote will have to take place every three years should owners wish to reverse their decision. The Senate companion is S.B. 1222 (by Sen. Jeremy Ring, Broward).

I consider these legislators my heroes.

The last thing we need here in Collier County is the enormous costs associated with retrofitting sprinklers and complex engineered life-safety systems at this time of serious economic downturn, foreclosures and many condo assessments in arrears. Which owner in a small condominium complex could afford to share in an expensive engineered life-safety system? I believe that already depressed condominium property prices would be affected.

Please give your active support to H.B. 561 and S.B. 1222 by contacting your legislators and telling them to vote for the bills, and once the legislation has passed, asking the governor not to veto it.

If you wish to be a part of CAN's activities and legislative initiatives on behalf of condos and homeowner associations, please e-mail dberger@canfl.com, call (954) 315-0372, visit CAN's Web site www.canfl.com or contact me at ewingsutherland@embarqmail.com or (239) 643-3975.

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