

# Hi-Riser

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## Holiday lights can sometimes ignite disagreements

FALLAN PATTERSON

FMPATTERSON@TRIBUNE.COM

As homes sit decorated in blinking, festive lights, with inflatable symbols and characters on the lawn and illuminated Christmas trees peeking through the curtains, the holiday spirit appears alive and well.

But in community associations, such displays don't always bring residents closer together. Sometimes, they bring out the Scrooge in neighbors and board members who

may balk at decorations they deem distasteful.

Donna Berger, managing partner with the Katzman Garfinkel Rosenbaum law firm in Fort Lauderdale, said community association boards regulate holiday decorations in order to avoid safety issues and nuisances and to get residents to take the decorations down in a timely manner.

Berger, who has a neighbor in her homeowners as-

sociation with 22 inflatable decorations on his lawn, said residents should be familiar with the rules contained in the community's governing documents before decorating.

Leigh Katzman, another lawyer with the firm, said the holiday season is really about love for fellow neighbors.

"Some people like to go all out, and some people don't," Katzman said. "I think the holiday season is about tolerance and not about cracking down on

the rules."

Community association residents should be aware of a Florida statute that allows unit owners to display religious décor on the outside door as long as the item is no bigger than 3 inches wide, 6 inches high and 1.5 inches deep.

"There was a big issue about decorating doors," Katzman said. "When people start decorating, it causes problems. Living in a community is com-

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munal, and you're going to have situations."

However, some community associations are adept at avoiding arguments or grudges over holiday decorations.

The lobby of the Ocean Summit Condominium on the Galt Mile on Fort Lauderdale Beach is awash in holiday decorations, with a Christmas tree, bright red poinsettias, a lighted menorah and a large winter village made up of more

than 30 houses and countless miniature figures, including lamp posts and snow-covered trees.

"It's fun and everybody enjoys it. It's become kind of a tradition," said Lee Rosenthal, Ocean Summit's manager, who has constructed the holiday village in the condo lobby for the past nine years. "It's not religious or anything. This is a pretty 'live and let live' building."

To ensure a smooth holiday season, boards are encouraged to lay out rules

about decorating well ahead of time to avoid problems.

Lisa Magill, an attorney with Becker and Poliakoff in Fort Lauderdale, said associations should try to be as specific as possible when creating rules about seasonal decorations.

"If the objective is to ensure that holiday displays do not create a fire hazard, then rules prohibiting lit candles or overloading the electrical system are appropriate," Magill said. "If the objective is to limit clutter,

then rules regulating how many physical items may be displayed are appropriate."

Magill said most associations do have the right to prohibit decorations outside of the unit or home "to maintain a uniform appearance of the community."

"Associations need to carefully tailor the rules to the desired objectives," Magill said. "If the board communicates the reasons for the rules, owners are more likely to comply."