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New surveys will assist reform bill

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Two recent surveys by different groups show that homeowners want their associations to be supervised by a regulatory agency and are willing to pay the annual \$4 fee to fund it.

Cyber Citizens for Justice, a consumer alliance that protects owners from abuses from their associations, surveyed 1,033 Florida homeowners from July through August. The results show that 93 percent of the respondents want a regulatory agency with enforcement powers where owners and board members can go with questions, problems, complaints and legal matters. Additionally, the survey shows that these 93 percent of respondents are also willing to pay the annual \$4 fee needed to create and maintain such an agency.

"Our question was: Do you want it and if so, are you willing to pay for it?" said Jan Bergemann, president of Deland-based Cyber Citizens for Justice. "You can't have it unless you pay for it."

The Community Advocacy Network, a lobbying group for associations, recently released a survey asking 282 Broward homeowners whether they want the board to be regulated and, in a separate question, whether they would pay for it. Sixty-three percent of respondents wanted the appointment of the regulatory division, although only 52 percent were willing to pay for it.

"We had a lot of participation from both board members and nonboard members. Many want to be regulated by the state, but most do not want to pay for that regulation," said Donna Berger, executive director of the Community Advocacy Network. "Right now the only thing you can do as an owner living in an HOA is go to court for most disputes, which is obviously more costly."

If created, the agency would have the power to conduct inquiries, investigations, subpoena documents and witnesses, impose civil penalties, and provide education materials on request.

The Cyber Citizens survey also shows Florida homeowners want more accountability from their board of directors, with more than 96 percent of respondents stating it was a priority.

"The results speak a very clear language," Bergemann said. "The problem is everywhere."



The Advocacy Network survey also asked respondents what legislative changes would assist them in the administration of their community. Forty-four percent said they want greater ability to pursue delinquent owners via lien and foreclosure process.

"Homeowners don't necessarily want to be treated the same way as condominium owners in all instances. Some things make sense, others would be counter-productive if transferred to the HOA Act," Berger said.

Results from the two surveys will serve as valuable information to the homeowner association reform bill that will be sponsored by Rep. Julio Robaina and Sen. Alex Villalobos during the next legislative session.

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