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Governor wants to ax office of condo ombudsman

BY DONNA GEHRKE-WHITE

Gov. Charlie Crist has proposed eliminating the popular Condo Ombudsman's Office, a budget cut that is drawing strong opposition from condo dwellers, consumer advocates and state leaders in Crist's own Republican Party.

Less than three years after state legislators agreed to set up the nine-member agency, Crist is now saying in his proposed budget that the office is not needed because it "provides very similar services" to the Department of Business and Professional Regulation does.

"Essentially, it's duplicative," says Anthony DeLuise, a spokesman for the governor.

Supporters of the ombudsman's office promise a fight. They say the office, which costs the state \$423,426 a year, is an essential neutral spot for condo owners and boards to get information and settle disputes.

The grass-roots consumer group, Cyber Citizens for Justice, has e-mailed the governor, protesting the proposed cut.

The group's founder, Jan Bergemann, notes that the office isn't paid for from the general fund, but from \$4 a year each Florida condo owner pays into a trust fund. The fund pays for that office and DBPR agencies that help condo owners.

ACTS AS MEDIATOR

The ombudsman's office holds classes about condo law, answers questions, monitors elections and acts as a mediator between boards and angry owners.

Condo ombudsman Danille Carroll, an attorney, said her office fields about 20,000 calls a year. "We try to get back within 24 hours," she says, adding "People need a neutral resource."

State Rep. Julio Robaina, R-South Miami, who led the effort to create the ombudsman's office, predicts that once people know about the proposed cut, the outcry will "generate so many e-mails that the governor's head will spin."

The condo ombudsman's office was set up in early 2005.

"There was really no place to turn to," says condo owner Eddie Hernandez, who complained for years to DBPR about financial wrongdoing at his Grand Vista condominium in Hialeah Gardens, with board members accused of using condo funds for their own personal use.

"After 25 complaints and three years, our condo association was fined \$50,000," by DBPR, he says. "That meant everyone had to pay. That was punishing those who reported the wrongdoing."

Ultimately, the owners recalled the board and voted in new directors, including Hernandez. He said the new board negotiated with the state to eliminate the fine -- and has since consulted the condo ombudsman's office when questions come up.

"You definitely need a middle man," he says.

Last year, the ombudsman's office monitored an election at Parker Plaza Estates in Hallandale Beach after some owners became concerned that board members kept getting re-elected despite wide opposition.

The oversight led to the election of a new board -- and the eventual arrests of the former board president, property manager and two others in a million-dollar kickback scheme.

FORMER FOES

Even former foes of the ombudsman's office have been won over.

"Initially we had reservations that it would duplicate services," says attorney Donna D. Berger, who is now executive director of the Community Advocacy Network (CAN).

She and other attorneys sparred with former ombudsman Virgil Rizzo, who was fired last year by then-Gov. Jeb Bush.

But, Berger says now, the current ombudsman is ``serving a useful purpose."

"It seems to be -- at least the perception is -- that it is a more friendly resource," Berger adds.

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