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## Fire safety retrofit reprieve could save condos millions

By Donna DiMaggio Berger

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Significant legislation pending in Tallahassee that deals with issues of fire safety upgrades in condominium buildings promises to have either a very positive or a very chilling impact on the financial future of thousands of condominium and co-op associations and their members.

Senate Bill 1196, co-sponsored by Sen. Jeremy Ring, D-Margate, and Sen. Mike Fasano, R-New Port Richey, and initially sponsored in the House as HB 561 by Rep. Ellyn Bogdanoff, R-Fort Lauderdale, fairly balances fire safety concerns with the urgent need to ensure the continued solvency of financially struggling Florida condos and co-ops facing the sky-high costs of building retrofits, particularly where it is yet to be proven they are absolutely necessary.

The legislation would grant reprieves from elevator, smoke detector and sprinkler retrofits of existing buildings that could stave off hefty assessments for unit owners already struggling to pay their bills.

Specifically, in buildings less than four stories high with external "catwalk" egress from units, it repeals requirements for costly elevator upgrades and retrofits of hard-wired fire alarms in all units. It also allows a majority vote of unit owners in high-rises of 75 feet or more to opt out of sprinkler retrofits throughout the building, with a provision to opt in again once every three years with the same majority vote.

This legislation is sorely needed, because when all 50 U.S. states adopted the national Life Safety Code, every state except Florida provided certain exemptions for existing buildings. Florida law currently allows fire officials to choose to provide "reasonable alternatives," but in reality, local officials nearly always impose the highest-cost solution of complete building retrofits.

Currently, some 6,000 Florida high-rises face sprinkler retrofits at a known cost of \$500,000 to \$1.5 million each. This represents sprinkler retrofit costs as high as \$10,000 per unit, placing many unit owners just one "special assessment" away from becoming foreclosure victims, after having exhausted their resources paying for neighbors who preceded them on the foreclosure path.

This chilling prospect has led Broward, Miami-Dade and Collier counties, plus the cities of Naples, Miami Beach, Miramar and Fort Lauderdale, to pass resolutions of support for the legislation, with other cities and counties lining up to follow suit.



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Our state legislators need to ensure passage of this legislation, and Gov. Charlie Crist, who previously threatened to veto this relief, now needs to get on board, showing voters living in impacted Florida condos and co-ops that he understands the real issues involved and will sign this important legislation into law.

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