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Vast majority of condo owners are pleased with their boards, state figures show

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CONDOS/HOMEOWNER ASSOCIATIONS

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Despite all the horror stories you read about condo and homeowner associations, 99.8 percent of owners in Florida apparently have no problem with their boards.

That means just a fraction of 1 percent of associations are giving them all a bad name, according to state figures.

During 2007, unit owners filed 2,482 complaints about associations with the state Department of Business & Professional Regulation, the agency that oversees condos. There were 1,394,467 condo units in Florida on Dec. 31.

In Broward County, 99.7 percent of unit owners apparently are happy because last year the state received 642 complaints. There are 241,867 units in Broward.

In Palm Beach County, the happiness quotient is 99.8 percent, based on 310 complaints and 177,677 units.

"The vast majority of associations are well-run," said Art Smith, who for 30 years has been president of the 728-apartment Pine Island Ridge G Association in Davie.

Michael Cochran, the state's chief condo regulator, said many unit owners forget directors are their neighbors who take the time to volunteer.

"Too often, what gets lost on people is that directors are unit owners elected by fellow unit owners to represent them," he said. "They are not some sort of evil empire."

The figures aren't an exact measure of owner happiness, but they are the closest thing kept by the state. They don't show multiple complaints filed by an individual or multiple complaints against an association, according to Sam Farkas, a department spokesman.

They also don't show if one or 100 owners signed a single complaint, said Jan Bergemann, president of Cyber Citizens for Justice, a volunteer organization representing owners. If 100 owners signed one complaint, 99 would wrongly be considered happy, he said.



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Another way of looking at the figures is that complaints were filed against 10 percent of the state's condo associations. That's based on 25,006 associations in the state. But the same caveats apply.

The figures are only for condos. The state doesn't regulate homeowner associations, so it doesn't keep those records. Experts say the numbers are probably similar.

What's the secret of a well-run community?

"We don't spend our days looking for problems, but when they come our way we do something about it," said Dr. Cheryl Hill, president of the 164-unit homeowner association at Nova Village, also in Davie. Irwin York, vice president of Crescent Lake of Boca Raton, a homeowner association with 224 single-family houses, boasted that his board manages to keep the community running efficiently with a low monthly maintenance and very few complaints.

"You know not everyone's going to like what you do, but everyone does appreciate your efforts," he said. "The proof is less and less people show up at board meetings because, as they say, if it isn't broken, why fix it?"

Cochran, the condo regulator, said good associations have two things in common: Directors have learned their jobs and they communicate with owners.

His common denominators for bad boards: They don't educate themselves and don't get involved, relying too much on paid managers.

Q&A

Q. The boards at two condo communities plan to hire individuals as association managers. Because several owners didn't like previous managers, they asked to be part of the selection process. Both boards refused. At one community, owners wanted a voice in the hiring process. At the other, owners wanted to sit in and watch the board interview candidates but not participate.

A. Rosa M. de la Camara, a Miami attorney who specializes in community association law, responds: If the board meets to interview a prospective manager, or to handle any other condominium business, and more than a quorum of directors is present, the meeting must be open to owners. If less than a quorum meets for interviews or other association business — whether to circumvent the open-meeting requirement, or simply out of convenience — the board cannot make any decisions. Decisions can come only at a duly called meeting open to all owners.

Owners have the right to attend and speak on agenda items at board meetings, she said. Owners can and should give their input, but the final decision is the board's. Remember, she added, "Owners always have the last word by voting on the directors they have confidence in to represent them."

Staff Writer Joe Kollin discusses condo and homeowner association issues in this space every other Wednesday. E-mail him at jkollin@sun-sentinel.com or call 954-385-7913 in Broward or 561-243-6503 in Palm Beach County. For recent stories, see www.sun-sentinel.com/condos. Kollin has covered condo and homeowner association issues in the Sun-Sentinel since 1986.

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