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FREQUENTLY ASKED QUESTIONS AND ANSWERS SHEET
COUNTRY CLUB OF MIAMI 44 NORTH HOA ASSOCIATION, INC.

September 12, 2026

What is the difference between a condominium and an HOA under Florida law?

- **FS 720** governs homeowners' associations (HOAs)

They have different legal requirements and owner rights.

What records are condominium owners entitled to inspect?
Owners have the right to inspect official association records, including:

- Financial reports
- Meeting minutes
- Contracts
- Insurance policies
- Budgets
- Board meeting notices

The association must generally provide access within **10 business days** after receiving a written request.

Are owners entitled to financial reports?
Yes. Associations must prepare annual financial reports based on total revenues, ranging from:

- Reports on income receipts and expenditures
- Yearly audited financial statements

What is a quorum for membership meetings?
A quorum is the minimum number of voting interests required to conduct business. The percentage is typically defined in the bylaws.

Can board meetings be closed to owners?
Yes, maybe closed for the following matters

- Attorney-client discussions
- Personnel matters
- Most board meetings must be open to unit owners. However, meetings regarding

.

How much notice is required for board meetings?
Typically:

- **48-hour posted notice** for regular board meetings
- **14-day mailed/electronic notice** for budget meetings or meetings involving special assessments; specific requirements are defined in the association bylaws.

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Are owners allowed to record meetings?
Yes. Owners may audio- or video-record board and membership meetings, subject to reasonable association rules.

Can meetings be conducted electronically?
Yes. Many meetings may be conducted electronically, subject to applicable laws and governing documents, especially for board meetings and owner participation. All video meetings must provide a physical location with appropriate audio equipment (like a speakerphone) so remote members can be heard by in-person attendees

Can a board member be removed?
Yes. Board members may be recalled by unit owners through:

- Written agreement, or
- Special recall meeting

Procedures are outlined in FS 718 & FS 720

What rights do owners have regarding elections?
Owners have the right to:

- Receive election notices
- Submit candidacy notices
- Vote by secret ballot
- Challenge election irregularities

What is the role of the board of directors?
The board is responsible for:

- Managing Association Affairs
- Maintaining common areas
- Enforcing rules
- Managing finances
- Hiring vendors and professionals

How are voting rights determined in a condominium association?
Voting rights are established in the association documents (Declaration and Bylaws). Typically, each unit receives one vote, but some communities allocate voting rights differently based on unit ownership or percentage interest.

Can voting rights be suspended?
Yes. Under FS 718 and 720, voting rights may be suspended for owners who are delinquent in monetary obligations to the association subject to the governing documents and board approval requirements.

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Fee simple applicable to the community?
Yes

What insurance is the condominium and HOA association required to carry?
Associations are typically required to maintain:

- Property insurance
- Liability insurance
- Fidelity bonding (in some cases)

Owners are usually responsible for insuring personal property and interior improvements.

What disputes require arbitration?
Certain condominium disputes involving elections, records access, and board actions may require arbitration through the Florida Department of Business and Professional Regulation (DBPR).

What are milestone inspections and structural integrity reserve studies (SIRS)?
Florida law requires certain condominium buildings to complete:

- Milestone structural inspections
- Structural Integrity Reserve Studies

These apply mainly to buildings three stories or higher.

Can associations charge fees for recreational facilities?
Yes. Associations may require payment for the use of recreational facilities, such as:

- Clubhouses
- Pools
- Tennis courts
- Fitness centers
- Boat docks

These fees must be authorized by the governing documents or properly adopted rules.

Why are fees charged differently by unit type?
Fees may vary by unit type because assessments are often based on:

- Square footage
- Percentage ownership
- Unit location or configuration
- Assigned common element interest

The Declaration of Condominium determines how expenses are allocated among unit types.

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What are regular assessments?
Regular assessments are recurring charges collected by the association to cover normal operating expenses, including:

- Maintenance
- Landscaping
- Insurance
- Utilities for common areas
- Management fees
- Reserve contributions

These do not include special assessments.

How is the amount of the regular assessment determined?
The board adopts an annual budget that establishes the association's total operating expenses. Each owner's share is then calculated according to the allocation formula in the governing documents.

What are late fees?
In simple terms, a late fee is a penalty for paying after the deadline. The amount and rules depend on the association's bylaws

- Due Date: The 15th of the month
- Late Fees amount to $ 15.00 per month

What are reserve funds?
Reserve funds are monies set aside for future major repairs and replacements, such as:

- Roofing
- Painting
- Paving
- Structural repairs

Waiving or reducing reserves usually requires a membership vote. Is the association funding reserve No

Can the association levy special assessments?
Yes. Associations may impose special assessments for unexpected expenses or projects, provided they follow the procedures outlined in FS 718 and the governing documents.

What is a special assessment?
A special assessment is an additional charge imposed on owners for unexpected or non-budgeted expenses, such as:

- Major repairs
- Emergency expenses
- Insurance shortfalls
- Capital improvement projects

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How is a special assessment calculated?
The basis for a special assessment is usually determined by:

- Percentage ownership
- Unit type allocation
- Equal share per unit
- Specific benefit to certain units

The governing documents control the calculation method.

When are special assessments due?
The due date is set by the board during the assessment's approval. Payment schedules may include:

- Lump-sum payment
- Installment plans
- Multiple due dates

Owners receive notice specifying payment deadlines.

Must owners receive notice of special assessments?
Yes. Associations must provide proper notice of meetings where special assessments are considered, typically at least 14 days in advance if required by FS 718 or the governing documents.

What happens if an owner does not pay assessments?
The association may:

- Charge late fees and interest
- Suspend use rights
- Foreclose on the line

Requirements must comply with the condominium documents and Florida law.

Can owners challenge assessments?
Owners may challenge assessments if they believe:

- The assessment was improperly adopted
- The calculation is incorrect
- The association failed to follow governing documents or statutory procedures

Legal review or dispute resolution may be required.

Are assessment amounts disclosed to buyers?
Yes. Estoppel certificates and condominium disclosures typically include:

- Current regular assessment amounts
- Outstanding balances
- Pending special assessments
- Upcoming financial obligations

This information helps buyers understand future costs.

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Are residents required to obtain approval prior to moving into the community?
Yes. All applicants require approval and background checks
- Valid ID

Are residents required to conduct an interview to move into the community?
Yes. All residents are required to have an interview with the association or a board member

Are there any rental restrictions
Yes. No commercial vehicles and no subleasing allowed.

Can owners and tenants use common amenities?
Generally, yes, unless rights are suspended due to violations or delinquent assessments. Associations may also adopt rules regulating tenant use.

Are emotional support animals allowed despite pet restrictions?
Yes, if supported by appropriate documentation under Fair Housing laws. Associations cannot discriminate against approved assistance animals.

Are there any pet restrictions and requirements?
Yes
- Pet Weight N/A
- Require annual registration with the association
- Require annual vaccines

Are there any parking restrictions and guidelines?
Yes. Two assigned spaces are in front of the units; others must park in the curbside areas or the swell.

Can owners install hurricane protection?
Yes. Owners generally have the right to install approved hurricane protection that complies with association specifications. ABR must be submitted for approval

Can fines be imposed on owners?
Yes. Associations may fine owners for violations after:
- Proper notice
- Opportunity for a hearing before an independent committee

Fines are subject to statutory limits.

ARB Approval?
Yes. Owners are required to obtain approval for all exterior modifications prior to commencing the job, including doors, windows, etc.