

HARBOR ISLES CONDOMINIUM ASSOCIATION, INC.

**A RESOLUTION OF THE BOARD OF ADMINISTRATION
TO DIRECT ESTOPPEL CERTIFICATE PREPARATION**

WHEREAS, Florida Statute 718.116 addressing estoppel certificates was revised during the 2017 legislative session:

NOW, THEREFORE, BE IT RESOLVED, by the Board of Administration of Harbor Isles Condominium Association, Inc. effective on the date of this resolution, directs its agent as follows:

THAT the Board shall cause the Association's website or include on the FAQ sheet to designate a person or entity with a street (or email) address to which a requestor should direct a request for an estoppel certificate, and that information shall be continuously updated as needed, and

THAT the property management company, appointed Director or the President, acting as Association agent, will, within ten (10) business days after receiving a written (or electronic) request, provide an estoppel certificate either by hand delivery, regular mail or e-mail on the date of issuance of the estoppel certificate. The estoppel certificate shall contain the following information:

1. The Date of Issuance
2. The Name of the Unit Owner as shown on the Books of the Association
3. The Unit Designation/Address
4. The Parking Space/Garage Space as shown on the Books of the Association
5. The name and contact information of the attorney collecting a delinquent account
6. The Fee for Preparation and Delivery of the estoppel certificate
7. The following Assessment and Other Information:
 - a. The amount assessed and the frequency of the assessment
 - b. The date regular assessments are paid current through
 - c. The date the next installment of regular assessments are due and the amount due.
 - d. An itemization of all amounts due, dates due and the nature of the obligation as of the date of the estoppel certificate.
 - e. An itemization of all amounts that will become due, the dates due and the nature of the obligation for all obligations coming due during the thirty (30) days if e-mailed or hand delivered and thirty-five (35) days if mailed following the issuance of the estoppel certificate.
 - f. Specify if there is any capital contribution resale, transfer or other fee due (Y/N as to each)
 - g. Are there any "open violation(s) of rules or regulation noticed to the unit owner in the association official records (Y/N)?

- h. Do the "rules and regulations" of the association require approval by the board of directors for the transfer of the unit (Y/N)? Has Board approval been granted if required (Y/N)?
 - i. Is there a right of first refusal in favor of the members or the association (Y/N)? Has a member or the association exercised that right of first refusal(Y/N)?
 - a. If the unit is also governed by another association, such as a master association, the estoppel certificate must disclose the name(s) and contact information for each of them.
 - b. Have an officer or authorized agent sign the completed estoppel certificate.
8. Any additional information that the association wishes to include after checking with legal counsel.

THAT the Agent shall collect the estoppel preparation fee as follows:

- Up to \$250.00 if there are no delinquent amounts owed to the association.
- An additional \$100.00 fee for an expedited estoppel certificate delivered within 3 business days after a request for an expedited certificate.
- An additional maximum fee of \$150.00 if there is a delinquent amount owed to the association.
- The fee for an estoppel certificate for multiple units owned by the same owner where there is no delinquency may not exceed:
 - 1. \$750 for 26 or fewer units
 - 2. \$1,000 for 25 to 50 units
 - 3. \$1500 for 51 to 100 units
 - 4. \$2500 for more than 100 units.

THAT the fee will be retained by the preparer whether Association or management company; and,

THAT the amount of the fee will be included on the certificate; and,

THAT if the certificate is requested in conjunction with the sale or mortgage of a unit but the closing does not occur and the preparer receives written request accompanied by reasonable documentation, the fee shall be refunded to that payer within thirty (30) days; and,

THAT the refund is the obligation of the unit owner, and the association may collect it from that owner in the same manner as assessments are collected.

THAT the fees set forth herein shall be adjusted not less frequently than every five years in accordance with the provisions of applicable law.

REVISION ADOPTED by the Board of Administration this 1ST day of August, 2017.

(CORPORATE SEAL)

**HARBOR ISLES CONDOMINIUM
ASSOCIATION, INC.**

ATTEST:

Secretary

Helene M. Hoyt

President

Richard Griffin