

Policy Explanation:

From the Florida Condominium Act: Florida Statutes Chapter 718: When a unit owner of a residential condominium files a written inquiry by certified mail with the Board, the Board shall respond in writing to the unit owner within 30 days after receipt of the inquiry. The Board's response shall either give a substantive response to the inquirer, notify the inquirer that a legal opinion has been requested, or notify the inquirer that advice has been requested from the division.

If the Board requests advice from the division, the Board shall, within 10 days after its receipt of the advice, provide in writing a substantive response to the inquirer. If a legal opinion is requested, the Board shall, within 60 days after the receipt of the inquiry, provide in writing a substantive response to the inquiry.

The failure to provide a substantive response to the inquiry as provided herein precludes the Board from recovering attorney fees and costs in any subsequent litigation, administrative proceeding, or arbitration arising out of the inquiry. The Association, may through its Board of administration, adopt reasonable rules and regulations regarding the frequency and manner of responding to unit owner inquiries, one of which may be that the Association is only obligated to respond to one written inquiry per unit in any given 30-day period. In such a case, any additional inquiry or inquiries must be responded to in the subsequent 30-day period, or periods, as applicable.

Division means the Division of Florida Condominiums, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation.

Reference:

Condominium: [Section 718.112\(2\)\(a\)\(2\), Florida Statutes](#)

Instructions for Unit Owners:

- A unit owner must submit any written inquiry by certified mail with the Board/Management Company.
- The unit owner may only submit one written inquiry in any given 30-day period.

Condominium Association/Board of Directors Responsibilities:

- Upon receipt of a written inquiry via certified mail by a Unit Owner, the Board/Management Company will respond to the Unit Owner within thirty days. The response will either:
 - Be a substantive response, or
 - Provide notification to the Unit Owner that a legal opinion has been requested, or
 - Provide notification to the Unit Owner that advice from the Division of Florida Condominiums has been requested
- If the Board response is a notification as described above, a follow-up response will be provided.
 - If a legal opinion was sought, a substantive response will be provided within 60 days of receipt of the original inquiry, or
 - If advice from the division was sought, a substantive response will be provided within 10 days of receipt of the advice.