

Staff Summary of Recommendations, Guidelines and SB 4-D

<p align="center">Surfside Working Group Florida Building Professional Recommendations</p>	<p align="center">Recommendations of the Broward County Condominium Structural Issues Committee</p>	<p align="center">Florida Bar RPPL Condominium Law and Policy Life Safety Advisory Task Force</p>	<p align="center">International Code Council – Ensuring the Safety of Existing Buildings in Florida</p>	<p align="center">Broward/Miami-Dade Counties 40-year Building Safety Inspection Program</p>	<p align="center">Community Association Institute (CIA) Recommendations</p>	<p align="center">SB 4-D</p>
<p>Scope - Statewide mandatory “minimum structural inspection”</p> <p>To determine whether the building is “safe for continued occupancy”</p>	<p>Scope - Statewide Building Safety Inspection Program</p> <p>To confirm a building is safe for continued use under the present occupancy.</p>	<p>Scope - Require timely maintenance, repair of structural and life safety systems in vertical construction including waterproofing.</p>	<p>Scope – For local adoption - Based on Florida specific risks. The geographic location of the building, regional climate, risk of flooding, areas of very high wind, poor soil conditions, the presence of salt air</p> <p>Purpose – to confirm that the building or structure under consideration is safe for continued use</p>	<p>Scope - Countywide program.</p> <p>To confirm a building is safe for continued use under the present occupancy.</p>	<p>Scope – Mandatory building inspections of the major structural elements owned or maintained by the community association for all multi-family buildings</p>	<p>Scope – Statewide mandatory structural inspection program for condominium and cooperative buildings in the state.</p>

Staff Summary of Recommendations, Guidelines and SB 4-D

Surfside Working Group Florida Building Professional Recommendations	Recommendations of the Broward County Condominium Structural Issues Committee	Florida Bar RPPL Condominium Law and Policy Life Safety Advisory Task Force	International Code Council – Ensuring the Safety of Existing Buildings in Florida	Broward/Miami-Dade Counties 40-year Building Safety Inspection Program	Community Association Institute (CIA) Recommendations	SB 4-D
---	--	--	--	---	--	---------------

<p>Building types - cover buildings that exceed 10 occupants and greater than 2,000 square feet.</p> <p>Detached one-and two-family dwellings and townhouses not more than three stories above grade are exempt.</p>	<p>Building type – <i>All buildings with exception to the following:</i></p> <p>All buildings under 3,500 square feet. One and two family dwellings, U.S. Government, State of Florida Buildings, schools under the jurisdiction of the B.C. School Board, and building built on Indian Reservations.</p>	<p>Building type – <u>Condominium with vertical construction 3 stories or greater.</u></p>	<p>Building type –</p> <p><i>(Risk Category 2)</i> - (e.g. Commercial/multifamily residential) – Exclude buildings “<4 stories or 3,500 sq.ft.”</p> <p><i>(Risk Category 3)</i> – (e.g. large assembly)</p> <p><i>(Risk Category 4)</i> – (e.g. hospitals)</p>	<p>Building type (Broward) – <i>All buildings with exception to the following:</i></p> <p>All buildings under 3,500 square feet. One and two family dwellings, U.S. Government, State of Florida Buildings, schools under the jurisdiction of the B.C. School Board, and building built on Indian Reservations.</p> <p>Building type (Miami-Dade)– <i>All buildings with exception of the following:</i></p> <p>Single family homes, duplexes, all other buildings with an occupant load of ten (10) or less and two thousand (2,000) square feet or less in area are exempt from recertification requirements. Non-residential farm buildings on farms.</p>	<p>Building type - All multi-family buildings of concrete, load bearing masonry, steel, or hybrid structural systems such as heavy timber including podium decks.</p>	<p>Building type – Condominium and cooperative buildings that are three stories or more in height.</p> <p>Exception: Single-family, two-family, or three-family dwelling with three or fewer habitable stories above ground.</p>

Staff Summary of Recommendations, Guidelines and SB 4-D

Surfside Working Group Florida Building Professional Recommendations	Recommendations of the Broward County Condominium Structural Issues Committee	Florida Bar RPPL Condominium Law and Policy Life Safety Advisory Task Force	International Code Council – Ensuring the Safety of Existing Buildings in Florida	Broward/Miami-Dade Counties 40-year Building Safety Inspection Program	Community Association Institute (CIA) Recommendations	SB 4-D
<p>Frequency of Inspection –</p> <p>30 years after first occupancy, with re-inspections required every 10 years after</p> <p>For buildings closer to corrosive saltwater environments/within a minimum of 3 miles of saltwater – 20 years after first occupancy, with re-inspections required every 7 years after.</p> <p>Phase 1 visual inspection Phase 2 Inspections – if Phase 1 inspection finds signs of structural damage, a more rigorous Phase 2 inspection and repair program would be triggered</p>	<p>Frequency of Inspection –</p> <p>30 years after occupancy, with re-inspections required every 10 years after the initial inspection</p>	<p>Frequency of Inspection –</p> <p><u>Require periodic structural and life safety inspections of all condominiums and cooperatives with vertical construction 3 stories or greater.</u></p> <p><u>By December 31, 2024 – require any residential condominium building 3 stories or greater in height be inspected by an engineer, attesting current and deferred maintenance standards, useful life, and replacement costs of the common elements and condominium property that is the maintenance responsibility of the association.</u></p> <p>An updated report shall also be required every five years thereafter.</p> <p>Inspection reports performed by local government should be provided to the association including recommendations for necessary repairs to the building structure.</p>	<p>Frequency of Inspection –</p> <p>Based on Use, Occupancy and Special Building Environmental Factors (SBEF)</p> <p>Maintenance inspection</p> <ul style="list-style-type: none"> - Visual -performed by owner or owner’s authorized representative <p>Annually for Risk Cat. 2, 3 and 4)</p> <p>Periodic inspection (PN)</p> <ul style="list-style-type: none"> - Visual - performed by a Registered Design Professional <p>Risk Cat. 2 (no SBEF/PN 15 yr., with SBEF/PN 10 yr.) Risk Cat. 3 (no SBEF/PN 15 yr., with SBEF/PN 10 yr.) Risk Cat. 4 (no SBEF/PN 5 yr., with SBEF/PN 5 10 yr.)</p> <p>Milestone special inspection (MSI)</p> <ul style="list-style-type: none"> - Performed by a Registered Design Professional who is qualified and a registered engineer in the system discipline being inspected <p>Risk Cat. 2 (no SBEF/MSI 30 yr., with SBEF/MSI 20 yr.) Risk Cat. 3 (no SBEF/MSI</p>	<p>Frequency of Inspection –</p> <p>Calls for structural and electrical safety inspections for buildings 40 years old or older and every ten years thereafter.</p>	<p>Frequency of Inspection –</p> <p>New Construction – First inspection conducted no later than 5 years after occupancy of building.</p> <p>Existing buildings – For existing buildings over 10 years old, first inspection within 2 years of passage of new statutory requirements.</p> <p>Periodic inspections every 10 years for first 20 years, and every year thereafter unless recommended sooner.</p> <p>Inspection to be done immediately anytime there is a concern about the safety/stability of building structure.</p>	<p>Frequency of Inspection –</p> <p>Milestone inspection –</p> <p>Condominiums and cooperative buildings located more than 3 miles of a coastline (3 stories or more):</p> <ul style="list-style-type: none"> - When the building reaches 30 years of age and every 10 years thereafter. <p>Condominiums and cooperative buildings located within 3 miles of a coastline (3 stories or more):</p> <ul style="list-style-type: none"> - When the building reaches 25 years of age and every 10 years thereafter. <p>Milestone inspection – two phases:</p> <p>Phase 1 – Visual examination by a licensed architect or engineer of habitable and uninhabitable areas of a building.</p> <p>Phase 2 – Must be performed if any substantial structural deterioration is identified during phase 1. This phase may</p>

Staff Summary of Recommendations, Guidelines and SB 4-D

Surfside Working Group Florida Building Professional Recommendations	Recommendations of the Broward County Condominium Structural Issues Committee	Florida Bar RPPL Condominium Law and Policy Life Safety Advisory Task Force	International Code Council – Ensuring the Safety of Existing Buildings in Florida	Broward/Miami-Dade Counties 40-year Building Safety Inspection Program	Community Association Institute (CIA) Recommendations	SB 4-D
			<p>30 yr., with SBEF/MSI 20 yr.) Risk Cat. 4 (no SBEF and with SEF MSI 20 yr.)</p> <p>Follow-Up Milestone Special Inspection (FMSI)</p> <ul style="list-style-type: none"> - Performed by a Registered Design Professional <p>Risk Cat. 2 (no SBEF and with SEF 10 yr.) Risk Cat. 3 (no SBEF and with SEF 10 yr.) Risk Cat. 4 (no SBEF and with SEF 10 yr.)</p>			<p>involve destructive or nondestructive testing at the inspector's direction.</p> <p>Initial milestone inspection:</p> <p>December 31, 2024 for buildings with CO date of July 1, 1992 or before.</p> <p>Within 180 days after receiving the written notice of local government, phase one of the milestone inspection must be completed.</p>

Staff Summary of Recommendations, Guidelines and SB 4-D

Surfside Working Group Florida Building Professional Recommendations	Recommendations of the Broward County Condominium Structural Issues Committee	Florida Bar RPPL Condominium Law and Policy Life Safety Advisory Task Force	International Code Council – Ensuring the Safety of Existing Buildings in Florida	Broward/Miami-Dade Counties 40-year Building Safety Inspection Program	Community Association Institute (CIA) Recommendations	SB 4-D
---	--	--	--	---	--	---------------

Type of inspections:	Type of inspections:	Type of inspections:	Type of inspections:	Type of inspections:	Type of inspections:	Type of inspections:
Structural	Structural and electrical	<u>Structural and life safety inspection</u>	Structural and electrical	Structural and electrical	Structural	Structural

Staff Summary of Recommendations, Guidelines and SB 4-D

Surfside Working Group Florida Building Professional Recommendations	Recommendations of the Broward County Condominium Structural Issues Committee	Florida Bar RPPL Condominium Law and Policy Life Safety Advisory Task Force	International Code Council – Ensuring the Safety of Existing Buildings in Florida	Broward/Miami-Dade Counties 40-year Building Safety Inspection Program	Community Association Institute (CIA) Recommendations	SB 4-D
---	--	--	--	---	--	---------------

<p>Local governments -</p> <p>AHJ – duty to follow up and enforce that repairs are made.</p>	<p>Local governments –</p> <p>Inspection listing any deficiencies must be filed with local government</p> <p>If deficiencies are noted in the inspection report, a final report must be submitted to the local governments showing that the condominium is in full compliance with safety inspection and that all deficiencies have been corrected.</p>	<p>Local governments –</p> <p>Condominium residents should be entitled to rely on the inspections and inspection reports performed by or on behalf of local governments, and local governments should not be able to avoid responsibility for the content and conclusions of building inspection reports under the doctrine of sovereign immunity.</p>	<p>Local governments –</p> <p>All inspection results, as well as any corrective measures, must be documented and shall be provided to the Code (Building) Official.</p> <p>The Registered Design Professional shall notify the Code (Building) Official immediately of any imminent life-safety hazard which requires temporary shoring or occupant evacuation during repairs. Such repairs shall not commence until the shoring of occupant evacuation has been completed.</p>	<p>Local governments –</p> <p>The Building Department will review the inspection reports submitted to verify that if the inspecting agency has deemed the structural and electrical systems as safe. If any deficiency is noted, the building department shall do follow-up.</p>	<p>Local governments –</p> <p>If a safety concern is identified in the inspection reports the inspector must notify the local governmental authorities in writing and record the date of receipt of nocte.</p> <p>-</p>	<p>Local governments –</p> <ul style="list-style-type: none"> - Must provide written notice for the required inspection to the condominium association and cooperative association. - Inspection report must be submitted to the building official. - A local enforcement agency may prescribe timelines and penalties with respect to compliance with this law. - If an association fails to submit proof to local enforcement agency that repair have been scheduled or have commenced for substantial structural deterioration identified in phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

Staff Summary of Recommendations, Guidelines and SB 4-D

Surfside Working Group Florida Building Professional Recommendations	Recommendations of the Broward County Condominium Structural Issues Committee	Florida Bar RPPL Condominium Law and Policy Life Safety Advisory Task Force	International Code Council – Ensuring the Safety of Existing Buildings in Florida	Broward/Miami-Dade Counties 40-year Building Safety Inspection Program	Community Association Institute (CIA) Recommendations	SB 4-D
---	--	--	--	---	--	---------------

<p>Standards: Miami-Dade Re-certification program</p> <p>ICC “Ensuring the Safety of Existing Buildings”</p>	<p>Standards: BORA’s Building Safety Inspection Program</p> <p>Additional:</p> <ul style="list-style-type: none"> - Waterfront condominium – assessment of seawall(s) - Material testing of concrete - Geotechnical analysis to assess potential for structural or foundation issues. 	<p>Standards: <u>Engineering evaluation</u></p>	<p>Standards: Miami-Dade’s Building Safety Inspection Program with improvement.</p>	<p>Standards: Broward’s/Miami-Dade’s Building Safety Inspection Program.</p>	<p>Standards: ASCE Standards SEI/ASCE 11-99 Guideline for Structural Condition Assessment of Existing Buildings or other industry standards.</p>	<p>Standards: Evaluation by an engineer or architect.</p>
---	---	--	--	---	---	--

--	--	--	--	--	--	--

Staff Summary of Recommendations, Guidelines and SB 4-D

Surfside Working Group Florida Building Professional Recommendations	Recommendations of the Broward County Condominium Structural Issues Committee	Florida Bar RPPL Condominium Law and Policy Life Safety Advisory Task Force	International Code Council – Ensuring the Safety of Existing Buildings in Florida	Broward/Miami-Dade Counties 40-year Building Safety Inspection Program	Community Association Institute (CIA) Recommendations	SB 4-D
---	--	--	--	---	--	---------------

<p>Qualification of inspector:</p> <p>Phase 1 inspection – to be performed under the direction of Professional Engineer or Licensed Architect who has experience designing structural components and inspecting structural components of existing buildings</p> <p>Phase 2 Inspection – must be by a licensed Professional Engineer or Licensed Architect who has a minimum of: (a) ten years of experience designing the primary structural components of buildings, and (b) a minimum of five years inspecting structural components of existing buildings of a similar size, scope, and type of construction.</p>	<p>Qualification of inspector:</p> <p>To be performed by an Engineer</p>	<p>Qualification of inspector:</p> <p><u>Licensed Florida architect or engineer</u></p>	<p>Qualification of inspector:</p> <p>Maintenance inspection</p> <ul style="list-style-type: none"> - Performed by owner or owner’s authorized representative <p>Periodic inspection (PN)</p> <ul style="list-style-type: none"> - Performed by a Registered Design Professional <p>Milestone special inspection (MSI)</p> <ul style="list-style-type: none"> - Performed by a Registered Design Professional who is qualified and a registered engineer in the system discipline being inspected <p>Follow-Up Milestone Special Inspection (FMSI)</p> <ul style="list-style-type: none"> - Performed by a Registered Design Professional 	<p>Qualification of inspector:</p> <p>State licensed architects and engineers</p>	<p>Qualification of inspector:</p> <p>Licensed engineer with appropriate qualifications.</p> <ul style="list-style-type: none"> - Local municipal building inspector if a licensed professional engineer; or - Licensed engineer hired by the building inspector, the community association, or building owner. 	<p>Qualification of inspector:</p> <p>Licensed Florida architect or engineer.</p>
---	---	--	--	--	--	--

Notes:

COASTLINE. The line of mean low water along the portion of the coast that is in direct contact with the open sea and the line marking the seaward limit of inland waters, as determined under the Convention of Territorial Seas and the Contiguous Zone, 15 U.S.T. (Pt 2) 1606. (Florida Statute s 376.031) CODE.

CONDOMINIUM ASSOCIATION. See Florida Statutes Chapter 718.

COOPERATIVE ASSOCIATION. See Florida Statutes Chapter 719.

MILESTONE INSPECTION. A structural inspection of a building, including an inspection of load-bearing walls and the primary structural members and primary structural systems by a licensed architect or engineer authorized to practice in Florida for the purposes of attesting to the life safety and adequacy of the structural components of the building and, to the extent reasonably possible, determining the general structural condition of the building as it affects the safety of such building, including a determination of any necessary maintenance, repair, or replacement of any structural component of the building. The purpose of such inspection is not to determine if the condition of an existing building is in compliance with the Florida Building Code or the fire safety code.

PRIMARY STRUCTURAL MEMBER. A structural element designed to provide support and stability for the vertical or lateral loads of the overall structure. (Florida Statute s. 627.706)

PRIMARY STRUCTURAL SYSTEM. An assemblage of primary structural members. (Florida Statute s. 627.706)

SUBSTANTIAL STRUCTURAL DETERIORATION. Substantial structural distress that negatively affects a building's general structural condition and integrity. The term does not include surface imperfections such as cracks, distortion, staining, deflections, misalignments, signs of leakage, or peeling of finishes unless the licensed engineer or architect performing the phase one or two inspection determines that such surface imperfections are a sign of substantial structural deterioration.

Surfside Working Group Florida Building Professionals Recommendations – Structural engineers from ACEC –FL and FES assembled a coalition of engineers and building professionals from various backgrounds, understanding that changes are needed to Florida's Building Code and inspection laws to assure the safety of all other existing structures in Florida. This coalition includes engineers from American Council of Engineering Companies of Florida, the Florida Engineering Society, the Florida Structural Engineers Association, the Florida Section of the American Society of Civil Engineers, and other building professionals from the International Concrete Repair Institute, the Building Official Association of Florida and the Florida Association of the American Institute of Architects.

Summary Report and Recommendations of the Broward County Condominium Structural Issues Committee – The Committee consisted of state senators, state representatives, mayors, city commissioners, representatives of condominium owners' groups. Condominium lawyers. Land use experts, representatives of Condominium Management Associations, a structural engineer, etc.

Report of the Florida Bar RPPTL Condominium Law and Policy Life Safety Advisory Task Force – The Task Force consisted of diverse group of condominium attorneys, with experience in the formation, development, governance and operational issues of residential condominium associations, board of directors, unit owners, developers, and others involved in the development, governance and operation of condominium projects.

Community Association Institute (CIA) Recommendations – Over three month period, more than 600 people participated in CAI’s process through conversations, surveys, research, interviews, and identifying clear recommendations. Reserve specialists, attorneys, insurance, and risk management professionals, developers, engineers, architects, community association managers, and homeowner leaders contributed.

International Code Council – Ensuring the Safety of Existing Buildings in Florida - This protocol was developed based on Florida’s specific risks and written with input from architects, engineers, code enforcement professionals, lawyers, and building maintenance experts.