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Sent: Wednesday, July 12, 2023 10:09 AM
To: Jeff Blair <facilitatedsolutionsjb@gmail.com>
Cc: Madani, Mo <Mo.Madani@myfloridalicense.com>; Campbell, Thomas <Thomas.Campbell@myfloridalicense.com>
Subject: "Delinquent Inspection/Repair" Recommendation

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Hi Jeff,

Per your request, below is my Recommendation, whether within Assignment 2 or 3. Note that the below definition will be independent of Unsafe designations due to dangerous conditions, which I think is appropriate.

Recommendation:

Update Section 110.9.10 of FBC 2023 Draft to read as follows (underline is proposed):

“Section 110.9.10 When a building is in violation of the timeframes provided in Sections 110.9.6 and/or 110.9.11, the building shall be deemed Unsafe due to “inadequate maintenance”, per the definition in the Florida Building Code, Existing Building, until such time that the building complies with such Sections. A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.”

Background Info from FBC 2023 Draft:

110.9.6 Within 180 days after receiving the written notice under Section 110.9.5, the condominium association or cooperative association must complete phase one of the milestone inspection. For purposes of this section, completion of phase one of the milestone inspection means the licensed engineer or architect who performed the phase one inspection submitted the inspection report by e-mail, United States Postal Service, or commercial delivery service to the local enforcement agency.

And then

110.9.10 A local enforcement agency may prescribe timelines and penalties with respect to compliance with this section.

110.9.11 A board of county commissioners may adopt an ordinance requiring that a condominium or cooperative association schedule or commence repairs for substantial structural deterioration within a specified timeframe after the local enforcement agency receives a phase two inspection report; however, such repairs must be commenced within 365 days after receiving such report. If an association fails to submit proof to the local enforcement agency that repairs have been scheduled or have commenced for substantial structural deterioration identified in a phase two inspection report within the required timeframe, the local enforcement agency must review and determine if the building is unsafe for human occupancy.

Regards,

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