

# COOCVE President's Report

By DONNA CAPOBIANCO, President of COOCVE



A good set of documents is meant to guide condominium owners and boards on what the associations' business is, how it should run, what each party's responsibilities are and what we all get and give up if we choose condo living. Condo docs (documents) represent the laws an association and its members agree to live by.

When we buy a condo unit, we sign a contract saying we read, understand and agree to follow the docs. Annually, when the association's board gets voted in, each director swears to do the same. When the association's board and its members/owners read, refer to and do their best to live by their docs, life in the condo is peaceful and pleasant. When an issue arises, the docs often provide the resolution. If not, the board has the right to add a rule/regulation to its docs from time to time. Rules and regulations are considered the 4<sup>th</sup> in the set:

1. Declaration of Condominium
2. Articles of Incorporation
3. By-Laws
4. Rules and Regulations (Unlike 1-3, requiring membership approval, normally the Board has the right to prepare, vote on and pass rules in its meetings.)

Condo docs become outdated. If not amended over time, they more often will likely conflict with state law (FL Statute 718). If a section of the state law says something like, "*unless your documents indicate otherwise*", this means what the association's docs say about that issue takes precedent. If the statute doesn't say anything like that, state law takes precedent. Keeping docs amended over time to comply with state law is extremely helpful in knowing how and what association boards and member/owners should do and expect.

What we hear at COOCVE and know is common in most other condo complexes like ours, is how few people, board members and owners/members alike, ever read, refer to or even know where their docs are. That's unfortunate. Without using the docs consistently as the

governing guidelines, it can make life often much more difficult for all involved. If you cannot find your documents, consider purchasing them. Call Knight Barry Title Group at (954) 571-7919. If you wish to try to find your set for free, visit Broward County Official Records: <https://officialrecords.broward.org/AcclaimWeb/search/Disclaimer?st=/AcclaimWeb/search/SearchTypeName>

*CORRECTION: Last month's report indicated CVE contains 191 garden buildings when we have 192. High-rise buildings number 62. When counting physical condo buildings, we have 254 total. When counting number of associations, we must take into consideration Swansea is one association that governs two high-rise buildings, giving us a total of 253 associations. Yes, it is confusing. "Thank you" to Michael Routberg, of Master Management, who after reading the article, shared information he learned while heading the CVE lighting project a few years ago. And "Thank you" to Robert Streater, of Master Management, for conducting a re-count, and confirming the old information we relied on for years was incorrect. Great to have CVE people we can count on to kindly and gently help us keep learning.*