



Florida Condominium Ombudsman

By Barbara Holmes on June 20, 2011

In 2004 the Office of the Condominium Ombudsman was set up in Florida as a resource for owners, boards and condominium associations. The Ombudsman's office has varied responsibilities:

1. preparation of educational and reference material (available in English and Spanish at no charge);
2. monitoring and review of procedures and disputes concerning condominium elections or meetings, including the appointment of an election monitor to attend the owners' annual meeting (at the expense of the condominium association), where 15% of the owners have petitioned for such monitor; and
3. acting as a liaison and mediating disputes between owners, boards and condominium associations.

Unit owners are entitled to file complaints relating to violations of the Florida condominium statutes, even if the owner has commenced litigation. However internal disputes such as noise, pets, parking, etc. and cases involving discrimination will not be investigated by the Ombudsman's office. Once a complaint has been filed the complaint and all supporting documentation become part of the public file and there is no anonymity for the complainant. Because the Ombudsman's office is officially neutral it cannot force any party to do anything, but can only assist the parties in getting problems resolved.

While other states such as Connecticut and New York are now looking at establishing a condominium Ombudsman's office, a recent Florida bill proposes to close the Ombudsman's office, along with reduction of other government services. It is not surprising that an Ombudsman's office could be a victim of its own success - the more people use its services, the more expensive it gets for the government to provide such services. No doubt the Ombudsman's office in Florida was swamped with requests during the recent real estate melt-down in the US, which resulted in an unprecedented number of foreclosures, many involving condominiums.

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