

ARBITRATION JURISDICTION

Arbitration is housed within the DBPR Office of General Counsel. The jurisdiction is defined in s. 718.1255(4), F.S.

ARBITRATION PURPOSE

Arbitration is a formal process in which the arbitrator has the authority to decide the dispute in accordance with the law. Unlike mediation, the resolution of a dispute according to an arbitrator’s decision is not based on the voluntary acceptance of the parties; instead, the arbitrator has the authority to render a decision based on the facts involved in the parties’ dispute. The arbitrator’s decision is final and binding on the parties if the parties agree in advance to be bound by the arbitrator’s decision, or if the matter is not filed in court for a new trial within 30 days of the arbitrator’s decision.

ARBITRATION DISPUTE TYPES

1. Condominium Act – Chapter 718, F.S.

- a. Authority of the Board of Directors to:
 - i. Require any owner to take or not take action involving the owner’s unit.
 - ii. Alter or add to a common area or element.
- b. Failure of a governing body when required by this Chapter or the governing documents, to:
 - i. Properly conduct elections.
 - ii. Give adequate notice of meetings or other actions.
 - iii. Properly conduct meetings.
 - iv. Allow inspections of books and records.
 - v. Properly conduct a plan of termination pursuant to s. 718.117, F.S.
 - vi. Unit owners’ representative and deposed Board member challenges to recall.



EXAMPLES

Failure to follow association rules; failure to maintain a unit; material alterations of the common elements by the association or the unit owner; unit owner actions creating a nuisance; unauthorized pets; etc.

2. Homeowners’ Associations – s. 720.311(1), F.S.

- a. Challenge an election in a homeowners’ association – s. 720.306, F.S.
- b. Seek to recall members of the Board of Directors – s. 720.303(10), F.S.

ARBITRATION CONTACT INFORMATION

Visit the DBPR website for official forms and more information at bit.ly/DBPRarbitration, call the DBPR Arbitration team at (850) 414-6867 or email CTMH.Arbitration@MyFloridaLicense.com.

