

Condominium Filing Requirements

FILING REQUIREMENTS FOR A CONDOMINIUM - DOCUMENTS AND FEES

Prior to offering any units in a residential condominium, the developer must submit condominium documents to the Division for review and approval, together with the proper forms and filing fees. Additionally, the developer must establish an escrow account with an escrow agent for the purpose of protecting the funds of purchasers if construction of the condominium is not yet completed. The documents for an initial standard condominium with its own condominium association would typically include the following:

For a condominium that will contain *more than 20 residential units*, or is part of a group of condominiums that will be served by property to be used in common by unit owners of more than 20 residential units, a prospectus must be filed, in addition to the other required documents. Section 718.504 FS contains the list of documents to be submitted with the filing; see subsections (1) through (28), and submit, as applicable. The list is general as follows:

- Prospectus (required provisions are listed in subsections (1) through (23) of 718.504.
- Declaration
- Articles of incorporation of the association
- Bylaws of the association
- Ground lease or other underlying lease of the condominium, if applicable
- Management agreement, if applicable
- Estimated operating budget
- Association's most recent structural integrity reserve study or a statement that the association has not completed a structural integrity reserve study
- A copy of the inspector-prepared summary of the milestone inspection report, if applicable
- Plot plan
- Floor plan of units
- Various types of leases, if applicable
- If the condominium is a conversion of existing improvements, then a statement of the conditions of the structures, as well as a termite inspection report
- Form of agreement for sale or lease of the units
- Executed escrow agreement if construction of the condominium is not complete
- Any restrictions as noted in subsection 718.504(17)
- Narrative description of any easements on the condominium property other than those in the declaration
- Approval in writing for any dock or marina serving the condominium, if applicable
- Evidence of the developer's ownership, leasehold or contractual interest in the land upon which the condominium is to be developed.

Note: If the condominium is to be developed in **phases**, then other provisions must be included in the prospectus and declaration as set out in section 718.403 FS; a **mixed-use condominium** requires provisions as set out in 718.404, **multicondominiums** require provisions set out in 718.405, Condominiums created within condominium parcels requires provisions set out in 718.406, and a condominium created within a portion of a building or within a multiple parcel building require provisions set out in 718.407 .

See sections 718.202, 718.503, 718.504, FS, and Rules 61B-15.011, 61B-15.007, 61B-17.001, 61B-17.002, FAC.

Please be aware that other statute sections and rules may apply, and other provisions and/or documents may be required, depending on the type of condominium being proposed.

Upon the initial filing of condominium documents, the developer must pay a filing fee of \$20 for each residential unit that may be offered as a part of the proposed condominium. See section 718.502(3) FS.

REVIEW/APPROVAL PROCESS FOR A CONDOMINIUM FILING-OVERVIEW

Within 45 days after receipt by the Division's Tallahassee office of the initial condominium filing in proper form (ie, all documents and forms required to be filed, together with the correct filing fee), the Division will notify the developer in writing of either approval or specified deficiencies. The developer is required to respond to the deficiency notice within 45 days of receipt of the deficiency notice. The Division will then respond within 30 days after receipt of the developer's response to any deficiency notice. This process occurs until the filing is approved, withdrawn, or rejected.

See rules 61B-17.001, 61B-17.002, 61B-17.005 FAC.

FORMS REQUIRED TO BE SUBMITTED WITH AN INITIAL CONDOMINIUM FILING:

DBPR Form CO 6000-2: Developer/Condominium Filing Statement

CTMH – Forms and Publications – MyFloridaLicense.com

DBPR Form CO 6000-7: Condominium Filing Checklist

CTMH – Forms and Publications – MyFloridaLicense.com

DBPR Form CO 6000-6: Receipt for Condominium Documents

CTMH – Forms and Publications – MyFloridaLicense.com

DBPR Form CO 6000-4: Frequently Asked Questions and Answers Sheet

CTMH – Forms and Publications – MyFloridaLicense.com