



LIVING WITH RULES

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Confused over condo insurance? Many hope help is on the way

> Posted by Daniel Vasquez on September 3, 2009 10:08 AM

While many attorneys and legal experts contend that Florida law requires condo owners to purchase insurance to cover interior items (floors, walls, etc.) that are not covered by the Association's policy, others disagree.

In a recent [column](#), a reader asked: **Could you please update me regarding the need for condo insurance? Exactly what is required by law?**

Answer: Gov. Charlie Crist vetoed legislation passed by the Legislature this year that would have changed condominium unit owner coverage requirements. As it now stands, unit owners must obtain coverage for items in a unit that the association does not cover, such as interior floor, wall and ceiling coverings, and appliances and cabinets. Owners must also provide proof of coverage to their condominium association. This allows neighbors to be assured that a unit owner who accidentally causes damage to neighboring property, such as by a water leak or fire, does not financially endanger their neighbors. The Legislature has not required parcel owners in homeowners' associations to have coverage.

Another perspective offered from Robert Kaye, a Fort Lauderdale attorney:

This particular issue has been the subject of debate since the law was put in place in 2008, due to the confusing way that the Statute was written. It was to have been resolved by the legislation passed in 2009, but that Bill was vetoed by the Governor for other reasons than insurance. There will likely be corrective legislation in the next session, which will clarify the intent of the Legislature that it is not required in the law that unit owners buy insurance. More details on this issue can be found at our website in our published article on the changes at <http://www.kayebenderlaw.com/condominium-association-laws>.

What do you say? Comments would be welcomed.

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I think it is reasonable to expect them to have liability so as to protect others, just as you must have some liability insurance to operate a car. Floods from water heaters or broken pipes are certainly not unheard of.

Posted by: MP | 09/03/2009 at 05:29 PM

We do not necessarily disagree that insurance should be purchased. However, the question is whether it "must" be purchased by unit owners under the current laws. Our opinion is that it is not mandatory.

Posted by: Robert Kaye, Esq. | 09/03/2009 at 11:09 AM

Owners SHOULD buy insurance for their own protection and the protection of those they affect.

Posted by: concerned1 | 09/03/2009 at 10:52 AM

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ABOUT THE AUTHOR

DANIEL VASQUEZ writes Living with Rules, a column that focuses on the lessons, laws and challenges of living in communities governed by the rules of associations. Daniel serves on the board of his homeowners association. < More >

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