

*PREPARING*

*FOR A*

*DISASTER*

*This Publication Was Prepared By:*

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION,  
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES AND  
THE  
DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT

## **INTRODUCTION**

There are over 20,000 condominiums comprising approximately 1,000,000 units in the State of Florida, many bordering on the coast. This publication was designed to assist condominium associations with the preparation of a disaster plan. The first section of this publication was prepared by the Department of Community Affairs (DCA) to offer disaster-planning guidelines to condominium associations. The second and third sections were prepared by the Division of Florida Condominiums, Timeshares, and Mobile Homes. Section II addresses the statutory provisions within the Condominium Act that relate to disaster preparedness. Section III provides suggestions for preparing *before* the disaster in order to operate the association efficiently *after* the disaster. A list of additional sources that may be beneficial in preparing a plan for the association can be found in Section IV at the end of this publication.

THIS PUBLICATION IS NOT INTENDED TO BE A COMPLETE DISASTER PLAN. LOCAL EMERGENCY MANAGEMENT OFFICIALS ARE RESPONSIBLE FOR OVERALL DISASTER PREPAREDNESS IN THE COMMUNITY AND SHOULD BE CONSULTED REGARDING PREPARING FOR EMERGENCIES.

- ◆ SHOULD YOU HAVE QUESTIONS REGARDING THE INFORMATION IN THIS BOOKLET PROVIDED BY THE DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES, PLEASE CONTACT THE DEPARTMENT'S CUSTOMER CONTACT CENTER AT THE FOLLOWING ADDRESS:

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e-mail: [callcenter@dbpr.state.fl.us](mailto:callcenter@dbpr.state.fl.us)

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# I **Disaster Planning Guidelines for Condominium Associations** (Prepared by the Department of Community Affairs, Division of Emergency Management)

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## **THE PLANNING ROLE OF THE CONDOMINIUM ASSOCIATION**

Under the Condominium Act, the role of the condominium association is to operate the condominium for the health, safety, comfort, and general welfare of the unit owners. Along with the statutory powers granted to the board of directors is the implied responsibility to protect their employees, equipment, supplies, facilities, and unit owners from disaster events that threaten them. Toward this end, an emergency/disaster response and recovery plan is warranted. The plan should contain the procedures and provisions that the association would rely upon to protect employees, unit owners, and other resources during disaster/emergency situations.

The plan will tell how the association will accomplish the necessary actions to protect employees, unit owners, equipment, supplies, property, and facilities. It should include emergency telephone numbers, call down rosters, resources listings, maps, and charts, etc. The plan should include a step-by-step procedures for cooperation with local governmental officials (i.e., emergency management officials) to (1) notify/warn all affected persons, (2) evacuate affected persons from association facilities, (3) provide adequate shelter on site or in public shelter (if approved by emergency management officials), (4) obtain mutual aid from other associations, businesses, etc., (5) report situations and request assistance from local emergency management officials, (6) communicate with employees and personnel who are working at different facilities.

## **THE PLANNING PROCESS**

The emergency/disaster response and recovery plan should be developed from a “planning process” that includes participation from all affected parties. The planning process should detail how the plan was developed. The first step in such a process should be to establish a working relationship with local emergency management officials to determine what the local disaster threats are and what the local community is doing to prepare itself. Once this first step is taken, the following planning process steps are recommended:

1. Research – Establish the situation base under which planning is to be accomplished. You cannot plan in a vacuum but must develop an in-depth knowledge of your community and association facilities prior to actual plan development. This is accomplished through collecting, analyzing, and applying data.
  - a. Review Existing Plans and Procedures – Before doing any planning, review existing plans, action checklists, vulnerability analysis, etc., to determine where there are deficiencies if any. Don’t reinvent the wheel.
  - b. Vulnerability Analysis – The plan must be responsive to the hazards that may

threaten the association. It is not sufficient to merely identify the hazards; you also should analyze the potential impact of these hazards on the Association.

- c. Identify Existing Resources – A compilation of the resources (both equipment and people) that the association has for meeting emergency situation requirements to help develop operational concepts.
- d. Capability Assessment – Assess the association’s capability to adequately protect its employees, unit owners, equipment, and facilities by measuring available resources and levels of training and disaster response experience against the potential needs as determined by the vulnerability analysis.

## 2. Planning Environment

- a. Demographics – How many employees does the association have? How many association operating locations? What kind of access does the association have to the public transportation network? What kind of barriers (rivers, roads, bridges, etc.) could impact on movement to/from locations?
- b. Resource Requirements – Examine resource deficiencies (people, equipment, etc.), and identify areas (financing, warning systems, etc.) which should be upgraded or changed to fit emergency response needs.
- c. A determination of disaster preparedness needs relative to association vulnerability and available assets should be made.
- d. An identification of disaster-related issues that the association is likely to encounter due to the uniqueness of the condominium form of ownership should be made.

- 3. Plan Development – With a solid base of information upon which to work, the individual(s) responsible for the plan should be ready to write the plan. At this stage, the planner should have a good idea of the specific activities that will need to be addressed in the plan and should have a sound concept of the procedures that need to be developed to protect employees and unit owners (warning/evacuation/sheltering), equipment (securing and dispersal), and facilities (taping/boarding of windows, sandbagging entrances, shutting down production, etc.) from the hazards that may threaten the association. Further, plan development should rely upon a team approach. That is: key service, department, and organization chiefs should be involved. Once you have completed the first draft, coordinate it with each division and department in the association. Also, ask the local emergency management officials to review it. Possibly the most important and most often overlooked task associated with plan development is coordination. Coordination implies cooperation and a willingness to share responsibility and a desire to solicit the input and constructive criticism of others.

Print and distribute the plan in sufficient numbers to meet the needs of the association. Also, provide copies to the local emergency management agency and, where appropriate, to the local service agencies, i.e., police, fire, public works, etc.

Review/update the plan annually as major changes occur.

## **HAZARD ANALYSIS**

In order to determine the emergency need of any community, knowledge of the types of hazards that might and do exist in that community is essential. Hazards that may affect condominiums in Florida will vary from location to location. For example, condominiums located in low-lying coastal areas are susceptible to wind and tidal surges, while those located inland are susceptible to wind as well as rain-induced flooding. Whatever the location, the basics of hazard analysis for the Association should include:

- Review of potential hazards.
- Identification of vulnerability.
- Identification of other factors which may compound the susceptibility of the Association to particular hazards, (i.e., inadequate flood drainage, seaward of the duneline, etc.)
- Identification of potential obstacles to evacuation (i.e., bridges, railroad crossings, low causeway approaches, etc.)
- Estimation of hazard impact on the association to determine the building's structural adequacy. Local insurance adjusters or construction engineers could do building and site evaluation.

The association may not have an expert to determine hazards or the association's vulnerability; however, such data is readily available. Frequently, local emergency management officials have identified the hazards relative to probability and/or location.

### **Information Sources:**

#### ALL HAZARDS

- Local Emergency Management Agency
- Local Library
- Newspaper and Other Media
- Local Historical Society
- Regional Planning Councils
- Florida Department of Community Affairs,  
Division of Emergency Management

#### FLOODING

- U.S. Army Corps of Engineers
- U.S. Geological Survey
- Florida Department of Environmental Protection
- Water Management District

#### COASTAL EROSION

- Florida Department of Environmental Protection,  
Division of Beaches and Shores
- National Oceanic and Atmospheric Administration (NOAA),  
Coastal Programs Office
- U.S. Army Corps of Engineers

#### CLIMATIC HAZARDS

- National Weather Service
- Public and Private Utilities

#### FIRE HAZARDS

- Local Fire Department
- Florida Fire Marshall, Department of Insurance
- Florida Department of Agriculture and Consumer Services,  
Division of Forestry

#### CHEMICAL HAZARDS

- Florida Department of Environmental Regulation
- U.S. Environmental Protection Agency

A WORD OF CAUTION: THE OCCURRENCE, ABSENCE, OR SEVERITY OF HISTORICAL HAZARDS OR DISASTERS SHOULD NOT BE USED EXCLUSIVELY AS THE DISASTER PLANNING BASE.

While major hurricanes may be infrequent in your area, this does not mean that the next storm to hit your locality will not produce disastrous results -- even if classified as minor.

### **EMERGENCY NEEDS**

After estimates have been made of potential hazard impacts on the association, the estimates must be translated into specific emergency programs or activities. Where the hazard analysis pointed out special problems, an organized preparedness and response effort by the association is needed. The following questions will assist you in determining emergency needs:

- What are the characteristics of the people who live in the Association's condominiums? Elderly or young? Seasonal or permanent residents?
- How many residents will require special assistance due to age, medical conditions, etc.?
- Are there cultural or ethnic groups which might have special needs?
- What preparations have been made to use the association as emergency shelter (i.e., sanitation, food, security, etc.)?
- What hazards will require your association to be evacuated?

- Is the association located on a barrier island accessible only by causeway? If so, are approaches to any causeways easily flooded?
- Does every resident know the location of the nearest public shelter and best route to the shelter?
- What is the attitude of association unit owners about various hazards such as hurricanes?
- What is the effect of a power outage on the primary means of communication and building evacuation (no elevator power)?
- Does the Association have a large amount of glass surface susceptible to high winds and flying debris?
- Will major roadways become overcrowded during emergency evacuation?
- Does your association have an emergency power source?
- If the association is inland out of a surge zone, is there a well-constructed building and safe "common" area or clubhouse that could be used as a shelter?

The extent to which answers to the above questions indicate potential problems will determine the emergency needs of the Association. Special programs of warning, evacuation, disaster awareness or sheltering might be required. In summary, emergency needs:

- Lets you know what to expect
- Prevents planning down blind alleys
- Gives you an incentive
- May indicate where preventative measures should be taken
- Creates awareness of new hazards
- Identifies the commitment the Association will require
- Indicates the type of help the Association will need

### **ASSOCIATION DISASTER PLAN**

The planning group or committee is the "traditional" vehicle from which citizen group disaster plans emerge. The key is that individuals who will be involved in emergency response are also involved in the planning for that response. It is suggested that such a committee for the association disaster plan include:

- Representative of the Board of Directors
- Floor or building representative(s)
- Association management representative
- Local emergency management official
- Fire department official
- Volunteer relief organization official
- Insurance representative

- Health department official
- Law enforcement representative
- Others as needed

Because planning starts with knowing what the association's problems are, the disaster committee should be involved in gathering the information discussed in the preceding sections. Next, the committee decides what type of plan would be most appropriate for the disaster needs of the association.

### **Telephone Rosters**

Telephone rosters are the simplest types of plans, and this may be all that is needed by the association if local mechanisms to cope with potential hazards are in place. All you have to know is who to call to take care of particular emergencies.

A current telephone list of all names, addresses and phone numbers for Board of Directors, management and maintenance personnel, concessionaires, and emergency service agencies should be compiled. The list may also include organizations involved in counseling and advocacy, referral, legal assistance, debris removal and volunteer activities.

If you elect to go with this simplest of plans, you also might want to back it up with a resource list so you will know what is available, as well as who to call. An inventory of association owned supplies (i.e., vans, trucks, walkie-talkies, auxiliary generators, fire extinguishers, etc.) should be compiled and frequently updated. Unit owners with special skills (i.e., physicians, nurses, architects, and equipment operators) should be listed in the resource list to provide assistance during emergencies.

Under disaster conditions, telephones may be inoperative, so even the simplest of plans should have alternate communication systems to back them up. Therefore, the committee should consider using HAM or CB radios to supplement the primary system.

### **Action Guides/Checklists**

Action guides and checklists are generally short (one/two page) sheets or cards designed to ensure that those responding to emergencies do a few basic things. For example, a hurricane action guide for the association may specify the following:

- Start each hurricane season with a hurricane awareness program
- Rehearse hurricane evacuation plan
- Provide for monitoring of NOAA Weather Radio
- Establish guidelines for the safe storage of cars and boats
- Check emergency power system and other emergency supplies

Action guides and checklists may also be developed for other hazards such as fire and hazardous materials spills.

### **Coordinating Plans**

A coordinating plan is generally aimed at defining the responsibilities of various groups or individuals under various emergency conditions. This type of plan is more comprehensive



than the two previously discussed, and may include the following elements:

- Authorities or Legal backing
- Disaster classification
- Organization for emergency response
- Responsibilities
- Maps and floor plans
- Other supporting information

The decision to implement a coordinating plan will depend on the vulnerability of the association, the adequacy of plans of local agencies to deal with potential hazards, the attitude of the members of the association with regard to specific hazards, and the resources of the association.

### **POST-DISASTER RECOVERY**

The major ingredients for a speedy recovery following disasters are pre-disaster planning, availability of aid, public awareness and community involvement. Recovery from widespread disaster sometimes presents serious challenges to public agencies in stricken communities. The demands on government relief organizations may be overwhelming and new problems may arise for which no authority or procedures are defined. Therefore, the association should anticipate as many contingencies as possible that may be encountered during recovery from disasters and have procedures in place to deal with them. The following is a brief description of disaster recovery issues and activities that the association should plan for in advance.

#### **Insurance**

The two basic types of coverage for unit owners are homeowners insurance, and flood insurance. A homeowner's policy is the standard coverage most people have. It is written in several formats and only covers water damage if the wind opens the roof, windows, or some other parts of the building. The homeowners' policy does not cover damage caused by water rising to a point where it seeps in around doors, windows, etc. This type of damage is covered by flood insurance. Consequently, unit owners in flood hazardous areas participating in the National Flood Insurance Program should purchase flood insurance to cover potential flood damage.

The association should also maintain adequate insurance coverage on common elements and should purchase endorsements to some items normally not covered by the basic building insurance. Some of these exclusions, which are among those usually held in common by the association, are as follows:

- Fences, property line walls, and seawalls
- Trees, shrubs or plants
- Outdoor equipment (i.e., TV antennas)
- Structures and other property located over water (i.e., piers)

The Board of Directors should review the association's documents for provisions relating to insurance and should inform unit owners about the form of insurance carried by the association. Unit owners should be advised to purchase additional coverage for personal

property protection and for potential losses that may exceed the coverage purchased by the association. Unit owners should be instructed to keep policy numbers where they can be readily accessible in the event they must leave before an emergency/disaster situation or when reporting damages.

In addition, associations in flood-prone areas should become familiar with recent changes in the National Flood Insurance Program (NFIP). Some of the changes that went into effect in June 1982 are as follows:

- Deductibles on both building and content losses resulting from floods were raised from \$200 to \$500 each
- Eligible flood losses of jewelry, precious metals, art objects and similar items are now limited to \$250, down from the previous limit of \$500
- Replacement cost coverage is available only for primary unit owners; condominiums owned as second homes are covered for actual values only
- New buildings constructed over water or seaward of mean tide after October 1, 1982 are no longer eligible for flood insurance

Coastal Barrier and other protected areas are indicated on the Flood Insurance Rate Maps (FIRMS) with slash marks with the statement on the FIRM, "National Flood Insurance not sold in this area." Furthermore, effective October 1, 1983, structures built on coastal barriers designated, as "undeveloped" no longer qualify for flood insurance. Additionally, while buildings that exist or are under construction by October 1983 deadline still qualify, flood insurance for these properties will be good for one claim only. For instance, if a condominium in an area designated as "undeveloped" is substantially damaged by a hurricane, a claim could be filed. However, if the condominium is rebuilt, it could not qualify for flood insurance the second time because it is considered new construction built after 1983. If the policy has a lapse in coverage, another policy can not be purchased.

Additional information on flood insurance may be obtained from local insurance agents or by calling the National Flood Insurance Program (toll free 1-800-427-4661), or by contacting: Department of Community Affairs, Division of Emergency Management (National Flood Insurance Program), 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850) 413-9959.

### **Damage Documentation**

Timely disaster assistance to individuals and the entire community is based on information on property losses. Relief agencies will like to know the following:

- Amount and extent of property damage
- Number of people injured or killed
- Number of people needing food, clothing, shelter, medical and other assistance
- Cost of replacing or repairing damaged property
- Losses covered by insurance

Associations can speed up the assistance process by ensuring that the above data is

collected quickly and accurately. Unit owners identified in the resource list (See page 5) as real estate brokers, insurance agents, construction engineers, etc. should be requested to assist in damage assessment and other information gathering activities. Also, a list of absentee owners along with their insurance agents would be useful in contacting these individuals and in collecting information on losses.

### **Repair of Common Property**

Even though federal disaster grants are available for the repair of properties such as driveways, sidewalks, swimming pools, etc. owned by private non-profit organizations, condominium associations (albeit private and non-profit) are not eligible for the Small Business Administration (SBA) home disaster loan normally provided to individuals and businesses. Consequently, associations should work out alternative means of repairing damaged common properties before disaster strikes (i.e., insurance, dedication of roads to local governments, self-insurance, etc.).

### **Imposed Limits to Repair**

Following a disaster, structures located below the line of mean high water cannot be rebuilt without the permission of Florida's Division of Beaches and Shores in the Department of Environmental Protection. Sometimes the Division may establish a field office in a disaster area or co-locate with other relief agencies in the Disaster Assistance Center and may authorize emergency permits for repairs of structures (i.e., stairs, walkways, decks, patios, etc.) in order to prevent further damage. However, permits will not be issued in the field office to rebuild where destruction is complete, or to create new lands or permanent major or minor structures that did not exist prior to the disaster.

Associations with property located in the areas under the jurisdiction of Florida's Division of Beaches and Shores should become familiar with the Division's procedures so that post-disaster repairs may be carried out without unnecessary delay.

### **Debris Removal**

Debris removal after a disaster could be a time-consuming unpleasant task; nevertheless, it is one chore that must be performed in order to get the association back to normal. Procedures should be established to address the following:

- Contracting for debris removal on common property
- Record-keeping on the cost of debris removal
- Purchase of insurance coverage for debris removal

## **CONCLUSION**

Effective December 18, 1981, SBA home disaster loans were no longer available for restoring secondary homes or for replacing their contents. As such, only owners of condominium units that serve as primary residences are eligible for the disaster home loans.

No one wants a disaster, but there can be some comfort in the fact that your association

has prepared in advance. A written plan is a valuable piece of information that enables your association to respond effectively to emergencies. Furthermore, the plan provides a permanent record of decisions and acquired knowledge, thus eliminating dependence on individuals who may later move away from the association or who may no longer be employed by the association.

While the plan will not immunize your association from disasters, it will affect the outcome of emergency situations by reducing the amount of lost lives and property.

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## **II Statutory Provisions in the Condominium Act Relating to Disasters** (Prepared by the Division of Florida Condominiums, Timeshares, and Mobile Homes)

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The first step in preparing a disaster plan is to review the condominium documents. The documents may either assist or hinder the effectiveness of a disaster plan. The following issues are addressed in the Condominium Act, and are presented in order to assist in preparing a disaster plan.

### **HURRICANE SHUTTERS**

In 1991, the legislature enacted an amendment to the Condominium Act, which became effective on April 1, 1992, requiring boards to adopt hurricane shutter specifications for each building in the condominium. The amendment requires the specifications to include factors such as color and style, as well as other factors that the board determines relevant. The specifications must also comply with applicable building code requirements. If unit owners want to install hurricane shutters that comply with the board's specifications, the board cannot refuse to approve the installation. Another amendment, which became effective on October 1, 1994, allows the board to use association funds to install and maintain hurricane shutters on or within common elements, limited common elements, units, or association property. Before the board can do this, however, the approval of a majority of the total voting interests in the condominium must be obtained. Upon such approval, the board must then determine whether the cost of the project will require the association to obtain competitive bids as required by the Condominium Act pursuant to §718.3026, F.S.

According to §718.113(5), F.S., if laminated glass, designed to function as hurricane protection and which complies with the applicable building code, has been installed the board may not install hurricane shutters. Pursuant to §718.115(1)(c), F.S., a unit owner who has previously installed this type of laminated glass, or who has previously installed hurricane shutters in accordance with the April 1, 1992, amendment, may receive a credit equal to the pro rata portion of the assessed installation cost assigned to each unit. However, the unit owner will still be responsible for the replacement, operation, repair, maintenance, and pro rata share of expenses for those hurricane shutters installed on common elements and association property by the board in accordance with the October 1, 1994, amendment.

The Condominium Act gives the board the irrevocable right of access to a unit when it is necessary to operate the shutters in order to prevent damage to the common elements or to a unit or units.

## INSURANCE

The Condominium Act, under §718.111(11), F.S., states:

- (a) A unit owner controlled association shall use its best efforts to obtain and maintain adequate insurance to protect the association, the association property, the common elements, and the condominium property required to be insured by the association pursuant to paragraph (b). If the association is developer controlled, the association shall exercise due diligence to obtain and maintain such insurance. Failure to obtain and maintain adequate insurance during any period of developer control shall constitute a breach of fiduciary responsibility by the developer-appointed members of the board of directors of the association, unless said members can show that despite such failure, they have exercised due diligence. The declaration of condominium as originally recorded, or amended pursuant to procedures provided therein, may require that condominium property consisting of freestanding buildings where there is no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property. An association may also obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units. Adequate insurance, regardless of any requirements in the declaration of condominium for coverage by the association for “full insurable value,” “replacement cost,” or the like, may include reasonable deductibles as determined by the board. An association or group of associations may self-insure against claims against the association, the association property, and the condominium property required to be insured by an association, upon compliance with ss. 625.470-624.488. A copy of each policy of insurance in effect shall be made available for inspection by unit owners at reasonable times.
- (b) Every hazard insurance policy issued or renewed on or after January 1, 2004, to protect a condominium building shall provide primary coverage for:
1. All portions of the condominium property located outside the units;
  2. The condominium property located inside the units as such property was initially installed, or replacements thereof of like kind and quality and in accordance with the original plans and specifications or, if the original plans and specifications are not available, as they existed at the time the unit was initially conveyed; and
  3. All portions of the condominium property for which the declaration of condominium requires coverage by the association.

Anything to the contrary notwithstanding, the terms “condominium property,” “building,” “improvements,” “insurable improvements,” “common elements,” “association property,” or any other term found in the declaration of condominium which defines the scope of property or casualty insurance that a condominium association must obtain shall exclude all floor, wall, and ceiling coverings, electrical fixtures, appliances, air conditioner or heating equipment, water heaters, water filters, built-in cabinets and countertops, and window treatments, including curtains, drapes, blinds, hardware, and similar window treatment components, or replacements of any of the foregoing which are located within the boundaries of a

unit and serve only one unit and all air conditioning compressors that service only an individual unit, whether or not located within the unit boundaries. The foregoing is intended to establish the property or casualty insuring responsibilities of the association and those of the individual unit owner and do not serve to broaden or extend the perils of coverage afforded by any insurance contract provided to the individual unit owner. Beginning on January 1, 2004, the association shall have authority to amend the declaration of condominium, without regard to any requirement for mortgagee approval of the amendments affecting insurance requirements, to conform the declaration of condominium to the coverage requirements of this section.

- (c) Every hazard insurance policy issued or renewed on or after January 1, 2004, to an individual unit owner shall provide that the coverage afforded by such policy is excess over the amount recoverable under any other policy covering the same property. Each insurance policy issued to an individual unit owner providing such coverage shall be without rights of subrogation against the association that operates the condominium in which such unit is located. All real or personal property located within the boundaries of the unit owner's unit which is excluded from the coverage to be provided by the association as set forth in paragraph (b) shall be insured by the individual unit owner.

### **DOCUMENT PROVISIONS**

Insurance coverage and provisions should be adequately and clearly stated in the association's documents. Examples of insurance provisions the association may want to address in the documents include, but are not necessarily limited to, the following:

- 1) Description of the condominium and association property that is and is not covered under the association's policy.
- 2) Insurance Trustee -- The board may have the option of designating an Insurance Trustee, which may be a bank, trust company, attorney, or other person or entity that receives insurance proceeds for the benefit of the unit owners and/or respective mortgagees.
- 3) Distribution of Proceeds -- Describes under what conditions and how insurance proceeds will be distributed to or for the benefit of the unit owners and/or mortgagees.
- 4) Reconstruction or Repair after Fire or Other Casualty -- Describes provisions for determining whether or not the damaged property is to be reconstructed or repaired and how expenses are to be funded. This may also include provisions for condemnation.
- 5) Termination -- Addresses the requirements for termination and what happens when the condominium is terminated.

### **RESERVES**

The board may elect to establish reserve accounts for use in the event of a disaster. The funds should be restricted to disaster repairs, emergency supplies, and to compensate for deductibles and possible insufficiencies in insurance proceeds.

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### **III Miscellaneous Tips (Prepared by the Division of Florida Condominiums, Timeshares, and Mobile Homes)**

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#### **PREPARING FOR THE DISASTER**

While there is little that can be done to prevent a disaster from occurring, there are steps that can be taken prior to an emergency that will speed up the relief and recovery efforts.

#### **Inventory of Association Documents**

Responding to a disaster will be delayed if documents essential to the decision making contain unworkable restrictions. For example, the declaration of condominium may provide for automatic termination of the condominium in the event the condominium becomes uninhabitable unless two-thirds of the voting interests vote to rebuild. In the aftermath of a disaster it is difficult to locate a sufficient number of members to hold a meeting in order to carry out the vote. If the documents require the appointment of an insurance trustee, and the association is unable to find a trustee, the association may find that insurers are unwilling to turn over insurance proceeds to the association. You should periodically review the condominium documents with your association attorney in order to ensure that your documents are up to date and will not encumber a recovery from a disaster. Copies of the association documents and/or a summary of pertinent provisions should be maintained at a second location away from the community. Among the documents that should be maintained are:

- (1) Articles of Incorporation of the association;
- (2) Declaration of Condominium;
- (3) Association By-Laws;
- (4) Rules and Regulations;
- (5) Amendments to the aforesaid items;
- (6) Insurance Policies
- (7) Construction Plans:
  - a. Architectural Plans and Specifications,
  - b. Engineering/Civil,
  - c. Engineering/Structural and Mechanical,
  - d. As-built drawings;
- (8) Owner Roster:
  - a. Record title owners,
  - b. Emergency contact information,
- (9) Bank Accounts, along with a list of authorized signatures;
- (10) Contracts: Maintenance and Operation  
All contracts should address cancellation in the event of the destruction of a community.
- (11) Employee Information:
  - a. Full Name,
  - b. Date of Birth,
  - c. Social Security Number,
  - d. Person to notify in event of an emergency.



## **Video/Photographic Records**

In addition to maintaining the information listed above, the association should create either a video or photographic record of the community and maintain a copy of the record off-site. All of these records should be updated periodically.

## **Communications Coordinator**

Many communities are evacuated prior to a disaster. The association should identify person(s) to serve as an communications coordinator. The name, address, and phone number of this person should be provided to every owner so that, in the event of a disaster, when the ability to communicate with other owners or the board is disrupted, the communications coordinator can facilitate communication among residents of the community. The designated person may be a professional engaged by the association for that purpose. Regardless, every officer and director should be instructed to contact the communication coordinator within a fixed time period after the disaster occurs to provide an address and phone number where they can be reached. Efforts should be made to locate all owners. Additionally, the board should designate a location from which they will function in the event of a disaster.

## **Survey the Property**

Depending on the nature and extent of the damage, it may be necessary to evacuate or shore-up a structure, obtain security to protect against criminal acts and/or prevent further damage. Photograph or videotape the storm damage.

## **Contact Employees**

The communications coordinator should maintain a detailed list of all vital information and services utilized by the association. The coordinator should be provided with a list of all vendors, copies of all outstanding contracts and a list of professionals employed by the association (accountants, attorneys, insurance agents, etc.), as well as necessary information, e.g., copies of bank accounts, location of all association funds, including C.D.'s and/or other investments, insurance policies, and the names of the architect and engineer who designed the building. It may be necessary to suspend or cancel on-going contracts, such as pool and lawn services, following a disaster.

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## IV Additional Sources

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The following agencies may provide additional assistance:

Department of Elder Affairs  
4040 Esplanade Way  
Tallahassee, Florida 31399-7000  
Phone: (850) 414-2000  
FAX: (850) 414-2004  
WEBSITE: [www.myflorida.com](http://www.myflorida.com)  
E-mail: [information@elderaffairs.org](mailto:information@elderaffairs.org)

This agency has prepared “Disaster Preparedness Guide for Elders” that is available to the public.

Department of Community Affairs  
***Division of Emergency Management***  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100  
Phone: (850) 413-9900  
WEBSITE: [www.myflorida.com](http://www.myflorida.com)  
[www.floridadisaster.org](http://www.floridadisaster.org)

If a natural disaster occurs, this agency activates an emergency operations center. It also can direct people to the appropriate agency for specific emergency questions.