

MANDATORY BOARD EDUCATION REQUIREMENT

718.112 (2)(d)4.b

b. Within 90 days after being elected or appointed to the board of an association of a residential condominium with ten units or more, each newly elected or appointed director:

(1) shall certify by way of affidavit in-writing to the secretary of the association that he or she has read the association's declaration of condominium, articles of incorporation, bylaws, and current written policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members. ~~In lieu of this written certification, within 90 days after being elected or appointed to the board,~~

(2) ~~the newly elected or appointed director may~~ shall submit a certificate of having satisfactorily completed the educational curriculum administered by a division-approved condominium education provider within 1 year before or 90 days after the date of election or appointment. The ~~written certification affidavit~~ or and educational certificate is valid and does not have to be resubmitted as long as the director serves on the board without interruption. A director of an association of a residential condominium who fails to timely file the ~~written certification affidavit~~ or and educational certificate is suspended from service on the board until he or she complies with this sub-subparagraph. The board may temporarily fill the vacancy during the period of suspension. The secretary shall cause the association to retain a director's ~~written certification affidavit~~ or and educational certificate for inspection by the members for 5 years after a director's election or the duration of the director's uninterrupted tenure, whichever is longer. Failure to have such written certification ~~or and~~ educational certificate on file does not affect the validity of any board action.

719.106 (d)1.b.

Within 90 days after being elected or appointed to the board, each new director shall certify ~~in-writing~~ by way of affidavit to the secretary of the association that he or she has read the association's bylaws, articles of incorporation, proprietary lease, and current written policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members. Within 90 days after being elected or appointed to the board, ~~in lieu of this written certification,~~ the newly elected or appointed director ~~may~~ shall submit a certificate of having satisfactorily completed the educational curriculum administered by an education provider as approved by the division pursuant to the requirements established in chapter 718 within 1 year before or 90 days after the date of election or appointment. The educational certificate is valid and does not have to be resubmitted as long as the director serves on the board without interruption. A director who fails to timely file the ~~written certification or~~ affidavit and educational

certificate is suspended from service on the board until he or she complies with this sub-subparagraph. The board may temporarily fill the vacancy during the period of suspension. The secretary of the association shall cause the association to retain a director's ~~written certification or~~ affidavit and educational certificate for inspection by the members for 5 years after a director's election or the duration of the director's uninterrupted tenure, whichever is longer. Failure to have such ~~written certification or~~ affidavit and educational certificate on file does not affect the validity of any board action.

720. 720.3033 Officers and directors.—

(1)(a) Within 90 days after being elected or appointed to the board, of a homeowner's association with at least ten lots, each director shall certify ~~in writing~~ by way of affidavit to the secretary of the association that he or she has read the association's declaration of covenants, articles of incorporation, bylaws, and current written rules and policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members. Within 90 days after being elected or appointed to the board, ~~in lieu of such written certification,~~ the newly elected or appointed director ~~may~~ shall submit a certificate of having satisfactorily completed the educational curriculum administered by a division-approved education provider within 1 year before or 90 days after the date of election or appointment.

(b) The ~~written certification~~ affidavit or educational certificate is valid for the uninterrupted tenure of the director on the board. A director who does not timely file the ~~written certification~~ affidavit or educational certificate shall be suspended from the board until he or she complies with the requirement. The board may temporarily fill the vacancy during the period of suspension.

(c) The association shall retain each director's ~~written certification or~~ affidavit and educational certificate for inspection by the members for 5 years after the director's election. However, the failure to have the ~~written certification~~ affidavit or educational certificate on file does not affect the validity of any board action.