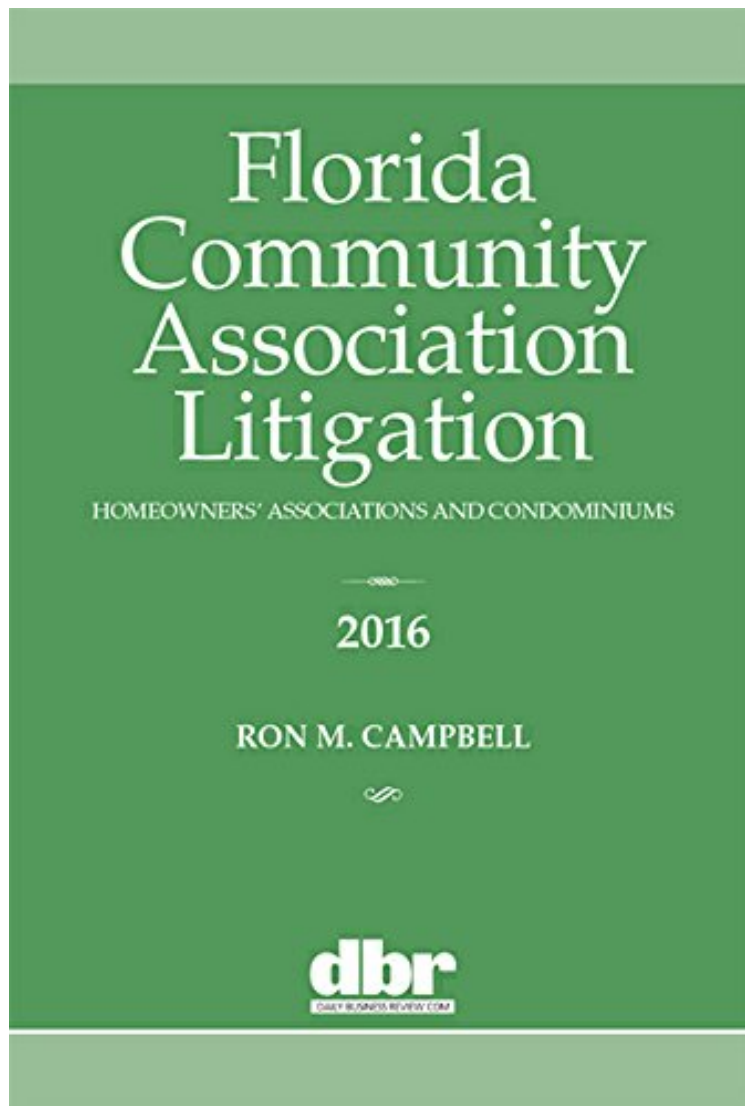


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Florida Community Association Litigation 2016: Homeowners Associations and Condominiums

Ron M Campbell

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Ron M Campbell : Florida Community Association Litigation 2016: Homeowners Associations and Condominiums before purchasing it in order to gage whether or not it would be worth my time, and all praised Florida Community Association Litigation 2016: Homeowners Associations and Condominiums:

This book is about the legal issues that arise repeatedly in litigating homeowners and condominium association lawsuits in Florida. Homeowners and condominium associations are common forms of community living in Florida, and the law regulating their operation touches on the lives of each of the owners and residents who own property and live within their purview. The book covers a broad range of topics because practice in this area of the law is multifaceted. Attorneys that practice community association law regularly prosecute and defend against claims that sound in the law of contracts, real property, civil rights, and more. Each of these topics is discussed to provide the reader with a set of practical tools that may be used to approach community association disputes. Students of this area of the law will also benefit from detailed discussion of the Florida statutes regulating community associations and construing case law. This book also discusses the motivations that underlie common community association disputes. Emotions run high when neighbors feud. By placing the dry legal issues in their context, the goal is to create a framework for understanding the root cause of the legal dispute. With some tact, the attorney may lead the client to adopt an objective perspective of the given circumstances and overcome his or her entrenched position. Of course, no amount of reason will resolve all differences. If litigation and trial is inevitable, then an understanding of the motivations underlying the dispute aids the attorney in effectively advocating in mediation and arbitration, and before the court. This book draws heavily on the Condominium Act, Chapter 718, and the statutes governing homeowners associations, found in Florida Statutes Chapter 720. There is a great deal of similarity between these two chapters. To the extent possible, the book attempts to avoid repetition by referencing both chapters simultaneously where their provisions mirror one another. Some repetition was necessary to avoid confusion. Introductory information on the nature of the various forms of Florida community associations is in the first chapters of the book. The book focuses almost exclusively, however, on the most common forms: homeowners associations and condominium associations. There is very little discussion of cooperatives, timeshares, and mobile home subdivisions, because there are simply not enough disputes involving these types of community associations to warrant lengthy discussion. This is an ever changing area of the law. As such, this book should serve as a springboard for the reader's own research. It is true that some critical principals discussed herein have guided the courts for decades, but the Florida Legislature revisits the statutory regulation of Florida community associations on a regular basis. In addition, Florida courts continuously create new law regarding issues affecting the operation of community associations on which we previously had little or no guidance. Moreover, there is no "one size fits all" approach to all community association litigation. Most cases are highly fact specific, and the courts typically approach them on a case-by-case basis. This book only aspires to guide and equip those who wish to learn more about community association litigation, providing direction as to issues impacted by statutory regulation and published case law.