



ROSS EARLE & BONAN, P.A.

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ROSS EARLE & BONAN NEWS

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Ross Earle & Bonan will celebrate it's 9th anniversary in September. Starting with the three founding shareholders, Deborah Ross, David Earle and Elizabeth Bonan, we have grown to now include shareholder Jacob Ensor; associates, John Carrigan and Katherine Woods; and Tom Gallagher and Martin Bonan, of counsel.

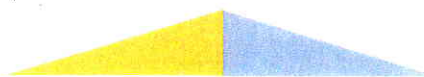
Jacob Ensor and his wife, local attorney Lori Steger, welcomed their third child, Anna, in August 2011. They now have three daughters, one year old Anna and three year old twin daughters, Kate and Emma.

John Carrigan married Alexandra Chauss on May 19, 2012. The happy couple enjoyed a wonderful honeymoon in the Turks and Caicos.

Kate Woods passed the bar exam and was admitted to the Florida Bar on September 30, 2011. She has become a tremendous asset to our legal team.

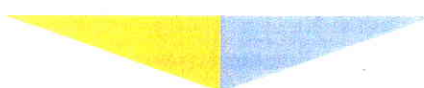
ROSS EARLE & BONAN P.A.

Royal Palm Financial Center
Suite 101
789 South Federal Highway
Stuart, Florida 34994
Phone: 772-287-1745
Fax: 772-287-8045



Ross Earle & Bonan, P.A. is pleased to present a seminar for Community Association board members, property managers and members. The seminar will be offered on three dates at three different locations.

Please see the flyer at the end of this newsletter for more information. So, pick the date and location most convenient for you and join us!



Legislative Update

The Florida Legislature did not make any significant changes to Chapter 718 (Condominiums), Chapter 719 (Cooperatives) or Chapter 720 (Homeowners Associations) this past legislative session. However, there was one change that will effect community associations holding submerged land leases. Section 253.0347, Florida Statutes (2012), concerning Sovereignty Submerged Lands, was created to extend the maximum term of leases of sovereignty submerged lands for private residential docks/piers to 10 years from the current 5 year maximum provided by the rule. These leases issued by the State must specify the amount of lease fees. Lessees must pay a lease fee on any income derived from a wet slip, dock or pier. The Department of Environmental Protection is required to inspect each private residential dock, pier or structure under lease, at least once every 10 years to verify compliance with the terms and conditions of the lease.

The statute also created new lease fee exemptions. Leases that include no more than one wet slip for each approved upland residential unit are not required to pay lease fees on a preempted area of 10 square feet or less for each linear foot of shoreline. In addition, lessees whose upland property qualifies for a homestead exemption at the time of a transfer of fee simple or beneficial ownership of the property are not required to pay a lease fee on the revenue derived from the transfer.

Online Foreclosure Sales [Fla Stat. § 45.031(10)]

Several months ago the Clerks of Court for Martin County, Indian River County and Palm Beach County began conducting judicial foreclosure sales online, as permitted by recent statutory changes. Instead of real property being sold on the "courthouse steps", foreclosure sales in these counties are now held online. For our clients, we handle online registration, notice of sale, publication and proxy bidding for Association lien foreclosure sales. Any party wishing to participate in these online foreclosure sales as a third party bidder should contact the local clerk of court to obtain further information. You can also visit their websites for additional information.

Martin County Online Foreclosure Sales - <http://www.martin.realforeclose.com/>

Indian River County Online Foreclosure Sales - <http://www.indian-river.realforeclose.com/>

Palm Beach County Online Foreclosure Sales - <http://www.mypalmbeachclerk.clerkauction.com/>

IMPORTANT NOTICE!

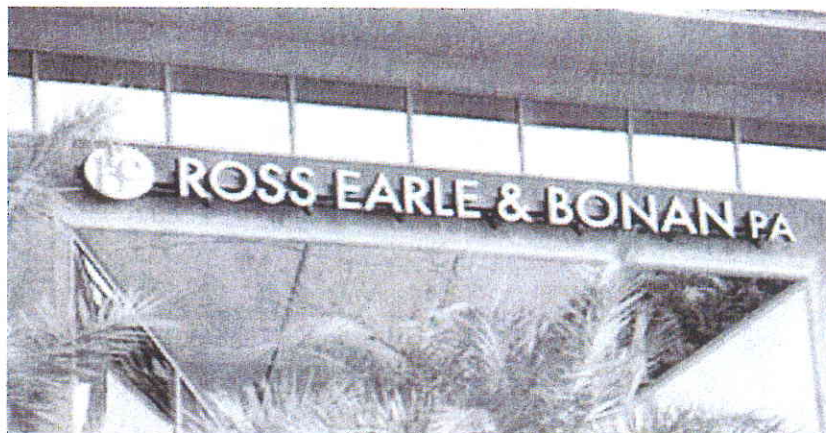
It has come to our attention that several of our community association clients were utilizing a call alert service by the name of **TELEBROADCAST ALERT, INC.** Over the past several weeks, many of these clients have found that their access codes stopped working, alerts could not be scheduled, the company's website was taken down and phone calls to the company's representative were not answered.

We have discovered that many of these accounts were sold to One Call Now, a national call alert company. We contacted One Call Now and it appears that the contact information given to One Call Now for many of these community associations was incorrect, resulting in the accounts being deactivated. One Call Now has been extremely responsive and has worked with us to get these community associations' accounts reactivated.

If you were a Telebroadcast Alert client and your account has been deactivated, please contact our office immediately, and we will put you in touch with the proper One Call Now representative to assist you with the reactivation of your account.

Directory Authorization

Florida law provides that Condominium Associations and Homeowners Associations may not publish a resident's personal identifying information (i.e. telephone numbers, e-mail addresses, facsimile numbers, and emergency contact information) without the resident's consent. Therefore, associations must obtain written consent from each resident to include any personal identifying information in a published or online directory. A sample Directory Authorization Form is provided for your use on the last page.



(Association Letterhead)

Directory Authorization Form

According to a Florida State Law, (Association Name) must have written permission from each resident to be included in our published and online directories. Please complete and sign this form for authorization. List your information *EXACTLY* as you want it to appear in the directory.

____ Include my name, address, phone number and email address in the neighborhood directory.

____ DO NOT include my name, address, phone number and email address in the neighborhood directory.

ADDRESS: _____ Lot #: _____

Resident #1	Resident #2
Last Name: _____	Last Name: _____
First Name: _____	First Name: _____
Email Address: _____	Email Address: _____
Phone Number: _____	Phone Number: _____
Alt. Phone Number: _____	Alt. Phone Number: _____

A directory of residents' name, address and email information is published and delivered in _____. This publication is updated annually. Web information is updated _____. Information contained in our directory is confidential and not for publication outside the community.

By signing this authorization, I hereby release and hold the Association harmless for any damages, claims or causes of action whatsoever arising out of the publication of the information set forth above.

Authorized Signature Resident #1 Date

Authorized Signature Resident #2 Date