



THE FOLLOWING IS NECESSARY PRIOR TO THE SALE AND TRANSFER OF A PROPERTY IN THE BIRD KEY HOMEOWNERS ASSOCIATION. PLEASE SUBMIT THE FOLLOWING TO THE BIRD KEY MANAGEMENT OFFICE LOCATED AT 100 BIRD KEY DRIVE, SARASOTA, FL 34236.

- 1.) A COMPLETED MEMBERSHIP APPLICATION FORM
- 2.) A COMPLETE COPY OF THE SIGNED SALES CONTRACT – PLEASE INCLUDE ALL ADDENDUMS.

ISSUE #1

- 3.) A \$600.00 TRANSFER FEE VIA CHECK, CASHIERS CHECK OR BANK MONEY ORDER PAYABLE TO BKHA.
- 4.) ACKNOWLEDGEMENT FROM EVERYONE IN WRITING AND NOTARIZED INCLUDING THE SPOUSE REGARDLESS OF WHETHER HE OR SHE IS ON THE TITLE THAT THEY (THE POTENTIAL BUYER(S) AND SPOUSE) HAVE RECEIVED A COPY OF THE BIRD KEY HOMEOWNERS ASSOCIATION, INC. BYLAWS, CERTIFICATE OF INCORPORATION, ~~DECLARATION OF RESTRICTIONS, LIMITATIONS, CONDITIONS AND AGREEMENTS.~~

FIFTEEN DAYS ADVANCE NOTICE IS REQUIRED BY THE BIRD KEY HOMEOWNERS ASSOCIATION TO PREPARE NECESSARY DOCUMENTS FOR THE CLOSING AGENT.

BKHA shall charge a fee for preparation of Estoppel Certificates requested by a property owner or mortgagee, or his or her designee. Estoppel certificates may be requested from Pinnacle Community Association Management on their website <https://pinnaclecam.com/>.

Please visit the Bird Key Homeowners Association website for the governing documents – www.bkha.org.

A PRE-SALE INSPECTION OF THE EXTERIOR HOME AND LOT WILL BE CONDUCTED PRIOR TO THE CLOSING BY THE BKHA IN ACCORDANCE WITH THE GOVERNING DOCUMENTS.

THE OFFICE IS LOCATED AT THE ABOVE ADDRESS AND IS OPEN FROM 9:00 AM TO 3:00 PM MONDAY THROUGH FRIDAY. FOR EFFICIENT SERVICE, PLEASE CALL THE OFFICE PRIOR TO YOUR VISIT.

100 Bird Key Drive Sarasota, Florida 34236 / 941.366.0848 phone / 941.366.0408 fax
www.bkha.org • bkhaoffice@verizon.net

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Estoppel certificate fee provision violates statutory preparation fee caps under Fla. Stat. § 720.30851.

Statutory / Legal Reference: Fla. Stat. § 720.30851

Statutory Comparison: Under Fla. Stat. § 720.30851, an association must issue an estoppel certificate within 10 business days after receiving a written or electronic request (and waives any fee if not delivered within 10 business days). Preparation fees are strictly capped by statute (base statutory cap of \$299 as adjusted by DBPR CPI schedule, plus statutory surcharges only for expedited 3-day delivery or delinquent accounts).

CURRENT WORDING IN DOCUMENT:

3.) A \$600.00 TRANSFER FEE VIA CHECK, CASHIERS CHECK OR BANK MONEY ORDER PAYABLE TO BKHA. 4.) ACKNOWLEDGEMENT FROM EVERYONE IN WRITING AND NOTARIZED INCLUDING THE SPOUSE REGARDLESS OF WHETHER HE OR SHE IS ON THE TITLE THAT THEY (THE POTENTIAL BUYER(S) AND SPOUSE) HAVE RECEIVED A COPY OF THE BIRD KEY HOMEOWNERS ASSOCIATION, INC.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Pursuant to Fla. Stat. § 720.30851, the Association shall issue an estoppel certificate within ten (10) business days after receipt of a written or electronic request, failing which any fee shall be waived/refunded. Estoppel preparation fees shall not exceed the maximum amounts permitted under Fla. Stat. § 720.30851 and the current DBPR CPI fee schedule.