



**CONDOMINIUM AND PLANNED DEVELOPMENT LAW  
CERTIFICATION APPLICATIONS**

**FREQUENTLY ASKED  
QUESTIONS**

# CONDOMINIUM AND PLANNED DEVELOPMENT LAW CERTIFICATION APPLICATIONS

## FREQUENTLY ASKED QUESTIONS

### ABOUT CONDOMINIUM AND PLANNED LAW CERTIFICATION

#### **Who can apply for condominium and planned law board certification?**

**Answer:** The applicant must have been engaged in the practice of condominium and planned development law for at least 5 years immediately preceding the date of application.

The applicant must demonstrate continuous and substantial involvement in the practice of law, of which at least 40 percent has been spent in active participation in condominium and planned development law during at least 3 of the 5 years immediately preceding the date of application.

The applicant must demonstrate substantial practical experience in condominium and planned development law by providing examples of at least 20 substantive tasks or services performed on behalf of, or in connection with, community associations and planned developments, such as:

- (1) drafting, reviewing, interpreting, or revising development and governing documents, title instruments and reports, title insurance policies, contracts for sale and purchase, and statutory and administrative laws, rules, and provisions;
- (2) drafting financing instruments for developers, lenders, investors, or community associations;
- (3) planning and drafting project legal structures and entities;
- (4) dealing with development funds and associated development documents;
- (5) drafting other project related documents;
- (6) serving as an arbitrator or counsel for a party in an arbitration;
- (7) serving as a mediator or counsel for a party in a mediation;
- (8) drafting opinion letters;
- (9) serving as legal counsel at a trial, on appeal, or in administrative hearings;
- (10) representing owners, purchasers, developers, lenders, investors, community associations, governmental agencies, or political subdivisions in matters relating to condominium and planned development law; or
- (11) any other activity deemed appropriate by the condominium and planned development law certification committee.

The applicant must also describe, through examples or narrative, the applicant's law practice of representing community associations, developers, lenders, investors, or owners in matters involving condominium and planned development law during the 5-year period preceding the date of application. The examples or narrative must include the approximate number and type of clients the applicant has represented during the 5-year period. Consideration will be given to applicants who have served as in-house counsel or who have been employed by governmental agencies.

## **Important Dates, Deadlines, Fee Information, Etc.**

### **What is the application filing deadline?**

**Answer:** Applications must be postmarked by August 31, 2019, for the 2020 exam or if you are attempting to qualify by the waiver exemption. Please note that the application filing fee is non-refundable.

### **How much does it cost to apply for condominium and planned development law certification?**

**Answer:** The **application filing fee** for the 2020 examination/exemption application is \$250. The **exam testing fee** is \$150, and to **test by laptop** fee there is an additional fee which is \$60. Applicants who qualify for the **exemption** from the examination **must pay** the **application filing fee** and a \$150 **examination/certification fee** in accordance with BLSE Policy 2.04(b). The **examination/certification** fee must be paid prior to receiving their certification certificate, but it is not paid until the applicant is notified that he/she has been approved for the exemption. After becoming board certified, a \$150 **annual fee** is due each February from every board certified attorney pursuant to BLSE Policy 2.04(d).

### **When and where is the exam?**

**Answer:** March 12, 2020, at the Tampa Hilton Westshore.

### **What is the exam testing schedule?**

**Answer:** The exam is 6 hours of testing, with 3 hours administered in the morning and 3 hours after a lunch break.

### **When will I know if I am approved to sit for the exam?**

**Answer:** Exam eligibility notification letters are typically mailed the last week of January 2020.

### **When will I be notified of my exam results?**

**Answer:** Exam results are typically mailed the last week of May.

### **When will I officially become certified?**

**Answer:** Applicants for the 2020 examination, whose applications are approved, and who either pass the exam or are granted an exemption, will be officially certified as of **June 1, 2020**.

### **What will be the title of my certification?**

**Answer:** Successful applicants will earn the title of "Board Certified in Condominium and Planned Development Law". There is no distinction in the title for an emphasis in condominium or planned development law.

## **Important Dates, Deadlines, Fee Information, Etc.**

**Continued**

**Malpractice or Ethics Matters - What is the applicable time period to report any of the matters referenced in question 1.F., (1)-(7) of the Generic Initial Application on page 4?**

**Answer:** You must report all applicable matters for the 10 years prior to the date of filing this application. Please attach the requested supporting documentation that explains your response.

## MISCELLANEOUS QUESTIONS

**May an applicant use a member of the Condominium and Planned Development Law Certification Committee as a peer review reference?**

**Answer:** No. Under BLSE Standing Policy 2.10(d) reads as follows: "No applicant may submit the name of a board of governors' member, a Florida Bar officer, an appeals committee member, BLSE member, **certification committee member**, or Justice of the Supreme Court of Florida to provide a statement of reference. The BLSE will not consider a statement of reference for an applicant from a board of governors' member, Florida Bar officer, appeals committee member, BLSE member, certification committee member, or Justice of the Supreme Court of Florida."

**The current members of the Condominium and Planned Development Certification Committee (Committee) are:** Joseph E. Adams-Fort Myers, Chad M. McClenathen-Sarasota, Margaret (Peggy) Ann Rolando-Miami, Christopher Nigel Davies-Naples, Peter M. Dunbar-Tallahassee, Barry Ansbacher- Jacksonville

If you are unsure if a reference is a member of any of the aforementioned groups, please contact the Legal Specialization and Education office at: 850/561-5842 or the Bar staff liaison at [jrodriguez@floridabar.org](mailto:jrodriguez@floridabar.org).

**Will the exam takers be provided paper or electronic copies of applicable statutes and rules at the exam?**

**Answer:** The Committee will NOT provide a hard or electronic copy of Chapters 718, 719 and 720, Florida Statutes and Chapter 61-B, Florida Administrative Code to examinees the day of the examination. Prior to examination day, a PDF document of the resource materials will be emailed to the examinee to print and bring on examination day. No other printed materials may be brought to the examination and there shall be no notes, marks or other information contained on the permissible resources. If an individual will be using his/her laptop to answer the questions, the laptop will be blocked so the examinee will be prevented from accessing anything other than just "typing" the answers to the questions. Individuals who elect to handwrite their answers will also be provided a hard copy of the same materials.

**Do I have to take separate exams to be certified in condominium or planned development law?**

**Answer:** No. The exam tests all aspects of condominium and planned development law. The exam is formatted so that both the morning and afternoon sessions covers all aspects of both areas.

**What if I only practice in condominium or planned development, not both?**

**Answer:** The certification plan when approved by the Supreme Court did not make a distinction between either types of law for applicants applying for certification in this area. You will be tested on both areas and must successfully pass the examination before you earn the title "Board Certified Specialist in Condominium and Planned Development Law" by The Florida Bar.

## **CONTINUING LEGAL EDUCATION REQUIREMENTS (CONDOMINIUM AND PLANNED DEVELOPMENT LAW CERTIFICATION CLE)**

**How many condominium and planned development law certification CLE hours are required?**

**Answer:** In accordance with Rule 6-30.3(e), applicants must earn a minimum of **50.00** hours of approved condominium and planned development law CLE credit hours between July 1, 2016 and August 31, 2019 for the **2020** examination/exemption application.

**What is an “accreditation period” for a CLE program?**

**Answer:** Pursuant to Board of Legal Specialization and Education (BLSE) Standing Policy 5.04(b), “The accreditation period of a course will not exceed 18 months from the date of the first course offering.” This means that if you listen to a recording (or watch a DVD) of a CLE program that is more than 18 months after the original program date; the program is expired and ineligible for condominium and planned development law certification CLE credits.

**How do I know if courses and activities I have previously reported qualify for condominium and planned development law certification credit?**

**Answer:** Bar members should log into their Florida Bar Member Portal account and click Show More under Board Certifications. Members will use the drop down menu to select Condominium and Planned Development Law from the list. All courses completed during the requisite time period will be listed. If a course qualifies for condominium and planned development law certification credit, the applicable number of hours will also be listed.

**What do I do if I see a course on my general CLE report that does not show as earning condominium and planned development law certification credit, but I think it should?**

**Answer:** If a member believes that a course on the CLE history record deserves condominium and planned development law certification credit, and falls within the Standing Committee Policies guidelines, but credit was not awarded (and it is within the 3-year timeframe), contact Jasmine Rodriguez, Certification Specialist for Condominium and Planned Development Law. She can be reached at: [jrodriguez@floridabar.org](mailto:jrodriguez@floridabar.org).

**Is there an extension of time if I cannot complete the required number of certification hours by August 31, 2018 for the 2019 examination/exemption application?**

**Answer:** No. The date range to complete the CLE requirement for the 2020 examination/exemption is July 1, 2016 to August 31, 2019.

## **CONTINUING LEGAL EDUCATION REQUIREMENTS (CONDOMINIUM AND PLANNED DEVELOPMENT LAW CERTIFICATION CLE)**

**(continued)**

**Before I sign up for a course, how can I tell if it qualifies for condominium and planned development law certification CLE credit?**

**Answer:** The 200 series of Condominium and Planned Development Law Standing Policies (which can be found on the certification website of this plan) contains the requirements an activity must meet to qualify for condominium and planned law certification CLE credit.

**What types of things can I do to earn condominium and planned development law certification credits?**

**Answer:** Applicants may earn condominium and planned development law certification credits by attending live presentations (including webinars and teleconferences) and completing individual study activities (on-line programs, audio programs, and DVDs). Applicants may also earn credit (whether full or partial credit) via individual activities such as lectures, published written materials, university teaching, and university attendance. ***Please refer to the 200 series of the Condominium and Planned Development Law Standing Policies on the website for specifics as some restrictions apply.***

**Are there any separate ethics/professional responsibility credits requirements for certification applicants?**

**Answer:** No. Applicants must remain members in good standing of The Florida Bar at all times to keep their certification in effect however. Therefore, they must complete the ethics/professional responsibility (and CLE Tech component) of the CLER credit requirements.

**How can I find CLE courses that qualify for condominium and planned development law certification credit?**

**Answer:** To meet this requirement, applicants may consider obtaining individual study credit through the use of On Demand (also known as the “on-line”) courses through The Florida Bar. Courses that been awarded condominium and planned development law certification credit will reflect this information in the “Credits” section of the course information. Currently it is recommended applicants check the Florida Bar On Demand courses under “Condominium Law” or under “Real Property, Probate and Trust Law”. Applicants may also want to check with local law libraries, local Bar associations, and other organizations which may provide quality CLE activities. The Committee is not endorsing any of the sponsors of the educational programs.

***Note: You should always check the recording date of a program to ensure it has not expired pursuant to BLSE Policy 5.04(b) before purchasing and watching (or listening) to it.***

(1/22/2020)