



HOA "Sunshine" Survey

We all came for Florida for the Sunshine!

Let's compare how homeowners' associations can be run....

#	HOA Process	'Cloudy'	'Sunny'	Your HOA's Report
1	Meetings	Meetings inconsistently held <i>either</i> electronically or in person. Q&A is not recorded or in minutes. Statutory loophole for holding private meetings for 'legal' or 'personnel' issues is used unnecessarily. Unclear member voting opportunities.	All members have the option to attend electronically or in person. Statutorily-required Q&A is on agenda and summarized in minutes. Meeting dates scheduled and posted in advance for the year. Recordings are available to homeowners. Members know their opportunities to vote and whether ballot or voice vote.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny

2	Annual Budget	Mixes ('pools') budget items. 'Contingency' funds established are for unspecified purposes.	Budget line items for Capital, Expenses are not comingled. Minimal 'contingency' funds. Unused funds applied to members next year. Evaluates Zero Based Budgeting (ZBB) resets.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny
3	Community Resources & responsibilities	Imprecise resource identifiers are used in documentation such as for gates, dog park, service contracts.	Every resource within Assn. is identified by its location and responsible party/contact such as CDD vs HOA for gates and fences.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny
4	HOA Policies	New policies created where 2024 FL Statutes (720) already exist thereby creating ambiguity and incurring additional legal costs to members.	Florida 'Sunshine' statutes are adopted without modification. Any deviations are specifically justified. Mediation permitted with FL DBPR to avoid legal unnecessary fees.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny
4	Inter- and Intra-board Communication	Board members use personal email and phones for Assn. communications.	Dedicated phones and email to ensure transparency for members and compliance with vendors.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny

5	Services / Bids	Process to bid on services or capital improvements is not specified. No RFP (request for proposal) process to obtain bids.	Documented competitive bid and evaluation process with success criteria in advance. Review of multiple bids/vendors based on criteria provided. Bidding vendors identified to members prior to board vote.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny
6	Contracts	Contracts awarded without competitive bid process. Source of vendor nominations undetermined. Contract durations may exceed directors' terms.	Competitive vendor evaluation is open, includes members and has conflict of interest review. Includes migration terms to new vendors.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny
7	HOA Documents website	Delayed posting of required notices, bids, contracts, association documents etc. No published listing of statutorily required documents.	Timely posting of documents as <i>searchable</i> PDFs for easier reference. Easy index of documents and request form available.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny

8	Special Assessments	Unsubstantiated and/or inflated budget amounts. No RFP process disclosed to members. No mention of potential further assessments.	Each proposed line item has separate RFP for all non-emergency items prior to voting. Any likely future assessments such as for developer 'deficit spending' identified in advance.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny
9	Fiduciary responsibility	Potential vendor warranty repairs or reimbursements are not pursued by the board. Disregards possible building code violations, builder warranties or overlap with CDDs.	Board pursues service providers for failed warrantied work or code violations to save members unnecessary expense or replacement reserve reduction.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny
10	Oversight	No compliance audits. Important disclosures occur after the fact.	Independent committee of members performs ad hoc or official compliance audits.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny

11	Elections	Paper ballots not secured with proper chain of custody. Proposed electronic voting option method not voted on/vetted by members for IT security and voter privacy. Uncertain voter roll maintenance.	Policy re paper or electronic elections voted on by members. Each voter may explicitly choose. Any electronic voting bids are vetted for security and privacy. Voting roster available to members after election.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny
12	Privacy	IT contracts awarded/renewed without qualified cybersecurity review. Mobile apps or websites have lax privacy standards. Sensitive personal information, such as user's real-time precise location, is collected in vendor policies for “targeted marketing” purposes.	Annual reviews of cybersecurity compliance. All privacy policies published to members with opt in/out. Never any information shared beyond the mission. Mobile app or website policies meet privacy best practices.	☐ Cloudy ☐ Pt Cloudy ☐ Sunny

Reminder: Homeowners do not need ‘permission’ to audit their HOA’s activities. The laws were established exactly so they could.