



Florida Condominium Damage Response: Step-by-Step Guide

Florida Statute **718.111(11)** governs insurance responsibilities for condominium associations and unit owners. The steps below reflect how things typically unfold when damage occurs inside a unit.

1. Immediate Steps for Any Unit Owner Experiencing Damage

1.1. Stop the source of damage (if possible)

- Shut off water valves.
- Turn off electricity if safe. If water is near outlets or appliances, shut off the breaker to that room.
- Prevent further damage (towels, buckets, fans, etc.).

1.2. Notify required parties

- **Association/Property Manager** — immediately.
- **Owner's insurance company** — notify insurance agent if the owner has a policy.
- **Landlord** — if a tenant.
- **Neighbors** — if multiple units may be affected.
- **Emergency services** — if safety is compromised.

1.3. Document everything

- Photos, videos, written notes.
 - Keep receipts for emergency mitigation.
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2. Owner Responsibilities (Florida Statute 718)

General Responsibilities

- Maintain everything **inside the unit** that is not part of the association's insurable property (e.g., flooring, cabinets, appliances, personal property).
- Mitigate further damage.
- Report the incident promptly.
- Cooperate with the association and insurance adjusters.

If the Owner Has Insurance

- File a claim with their HO-6 policy.
- Pay their deductible.
- Cover personal property and interior finishes.

If the Owner Does NOT Have Insurance

- Owner pays out of pocket for:
 - Personal property
 - Interior finishes
 - Their share of any deductible responsibility

If the Owner Was Negligent

- Owner may be financially responsible for:
 - Their own unit damage
 - Association property damage
 - Damage to other units
 - Negligence examples: failing to replace a known leaking water heater, leaving a bathtub running, ignoring mold or plumbing issues.
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3. Association Responsibilities

General Responsibilities

- Insure and repair **building components** defined as association responsibility under FS 718.111(11), including:
 - Drywall (but not paint)
 - Structural elements
 - Common elements

- Plumbing lines up to the point of service
- Respond promptly to reports of damage.
- Mitigate further damage to association property.
- File a claim with the association's master policy when applicable.

If the Owner Has Insurance

- Association still repairs what the statute requires.
- Association may coordinate with the owner's insurer for overlapping areas.

If the Owner Does NOT Have Insurance

- Association still repairs its statutory responsibilities.
- Owner must pay for their own interior components.

If the Owner Was Negligent

- Association may:
 - Force owner to pay all costs for repairs
 - Choose to make repairs and bill the owner for the association's deductible (up to \$2,500)
 - Seek reimbursement for all damages caused by negligence
 - Subrogate through the association's insurer
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4. Insurance Company Responsibilities

Owner's HO-6 Policy

- Covers:
 - Interior finishes (flooring, cabinets, paint)
 - Personal property
 - Loss of use
 - Owner's liability if they caused damage to others
- Adjuster inspects and determines coverage.

Association's Master Policy

- Covers:
 - Drywall
 - Structural components
 - Common elements
- Pays for repairs minus the association deductible.

If Negligence Occurred

- Insurance may:
 - Deny certain claims
 - Pursue subrogation against the negligent owner
 - Require owner reimbursement for liability claims
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5. Multi-Unit Damage Scenarios

If Damage Spreads to Other Units

- Each affected owner handles their own interior repairs through their HO-6 policy.
- Association handles building components.
- If the original owner was negligent:
 - Their liability coverage may pay for other units' damages.
 - If uninsured, they may be personally responsible.

If No Negligence

- It is treated as a “no-fault” event.
 - Each party uses their own insurance according to statute.
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