



Dear Unit Owner:

On behalf of your Condominium Association, Atlas Insurance Agency offers the following brief explanation of the insuring responsibilities of unit owners in a condominium association in Florida. The revised state statute (Ref, Florida 718.111) applies **to all new and renewal policies issued on or after July 1<sup>st</sup>, 2008** as follows:

The master policy provides **primary** insurance coverage for the following:

- All portions of the condominium property as originally installed or replacement of like kind and quality, in accordance with the original plans and specifications. (*Editor's note: This includes items such as HVAC, drywall, sheetrock, unfinished walls, unfinished floors, interior doors, interior non-load bearing walls, closet doors, closet rods, bath tubs, sinks, and toilets as long as items such as these were initially installed by the builder or are replacements of like kind and quality.* )
- All alterations or additions made to the condominium property or association property pursuant to s. 718.113(2)

The law provides that the following property components are **excluded** from the property and casualty insurance maintained by the condominium association. Coverage for these items would be obtained by the unit owners.

- Floor coverings, wall coverings, and ceiling coverings
  - Electrical fixtures
  - Appliances
  - Water heaters
  - Water filters
  - Built in cabinets and counter tops
  - Window treatments, including curtains, drapes, blinds, and hardware
- \*Replacements for any of the above listed property

Unit owners are responsible for any interior additions and upgrades that are not of like kind of quality to the original interior building items. Where the unit owner's policy covers the same property that is also covered by the master policy, the unit owner's policy shall be excess over the amount recoverable under the master policy. Unit owner policies shall be without rights of subrogation against the condominium association.

While items such as drywall, doors, and windows, may be the maintenance responsibility of the unit owner, they are the primary insurance responsibility of the association. Even if the condominium bylaws or documents stated that items such as drywall, windows, and doors were the primary insurance responsibility of the unit owner, Florida statute 718.111 dictates otherwise.

Should you have any questions or concerns, please contact your personal insurance agent.