

Florida Apartment Association Maintenance Legislation FAQs

Information on HB 535 for the Apartment Industry

1) Why was this legislation needed?

Apartment communities rely on maintenance professionals to perform a variety of repairs each day, so the Florida Apartment Association sought legislation to protect apartment owners, managers, and maintenance workers from possible criminal charges and fines for performing basic maintenance work on site.

Beginning July 1, apartment maintenance workers in Florida who hold a valid Certificate for Apartment Maintenance Technicians (CAMT) will no longer be restricted from performing many basic repairs to HVAC, AC, and water heater units.

This amendment removes arbitrary barriers to doing business in Florida by creating an exception to Florida statute restricting who can perform basic repairs and maintenance. Under the exemption, apartment owners who employ a fulltime CAMT professional will be able to complete repairs faster and more cost effectively. This is a benefit for both apartment residents and owners.

2) What is the current (expiring) statute?

Florida's building code currently requires that a contractor must be hired to perform any HVAC, AC, or water heater repairs. Contracting law defines "contractor" as a person:

. . . who is qualified for, and is only responsible for, the project contracted for and means, except as exempted in this part, the person who, for compensation, undertakes to, submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure, including related improvements to real estate, for others or for resale to others; and whose job scope is substantially similar to the job scope described in one of the subsequent paragraphs of this subsection. . .

Section 489.105(3), F.S.

A person who is not licensed may not engage in the business of contracting in Florida. DBPR, as well as local governments and local licensing boards, are authorized to issue cease and desist orders. Section 489.113(2), F.S.

4) What is a CAMT?

The Certificate in Apartment Maintenance is a rigorous course developed by the National Apartment Association Education Institute (NAAEI). A CAMT is a maintenance professional who has completed the requirements to earn a Certificate for Apartment Maintenance Technicians. The CAMT program is accredited by the American National

Standards Institute (ANSI), a private nonprofit organization that administers and coordinates the U.S. voluntary standardization and conformity assessment system.

CAMT candidates must complete, within 24 months of declaring candidacy:

- One year of apartment or rental housing maintenance experience
- Seven courses and online content totaling 90½ hours)

Additional information can be found online here:

<http://www.naahq.org/learn/education/certification-for-apartment-maintenance-technicians>

5) What training does a CAMT need to complete for their certification?

CAMT candidates must complete one year of apartment or rental housing maintenance experience and 90½ hours of technical and nontechnical courses and meet all examination requirements within 24 months of declaring candidacy for CAMT.

CAMT classes are offered through many local apartment association affiliates. Please contact your local affiliate for information on upcoming classes.

6) What will be the new apartment maintenance law in Florida?

As of July 1, apartment maintenance workers who hold a valid Certificate for Apartment Maintenance Technicians (CAMTs) will be able to perform HVAC, water heater, and AC repairs where parts cost no more than \$1,000.

7) Are there any restrictions on what repairs can be made?

Yes, there are restrictions on what repairs can be made. These restrictions include:

- The equipment being repaired must already be installed on the property.
- The unit being repaired may not be modified except to replace components necessary to return the equipment to its original condition .
- The equipment may only be repaired with new parts that are functionally identical to the parts being replaced.
- An individual repair may not involve replacement parts that cost more than \$1,000.
- An individual repair may not be so extensive as to be a functional replacement of the unit.

8) Are CAMTs now allowed to install new HVAC, AC, or water heater units?

No. This legislation only allows CAMTs to repair equipment that is already on site. It does not include installation of new equipment.

9) Are CAMTs now allowed to make any type of repairs to HVAC, AC, or water heater units?

No. This legislation only allows CAMTs to make repairs to return equipment to its original functioning condition. The parts used in each repair must cost less than \$1,000 and cannot be a functional replacement of the unit.

10) Are there any restrictions on what size of apartment communities can use CAMTs to repair HVAC, AC, or water heater units?

Yes, apartment communities that have 100 units or more can have a CAMT perform these repairs.

11) Are there any restrictions on what type of apartment communities can use CAMTs to repair HVAC, AC, or water heater units?

NO, any type of apartment community can use a CAMT to do on-site repairs; this includes conventional, affordable, student, and senior housing, and tax credit properties.

12) My city or county already requires CAMTs to get a license to do work on site. Will this new law let me skip applying for this license?

No, this legislation does not exempt apartment owners from complying with local licensing laws. If your city or county requires an additional license, this license must still be active. Many local licenses allow CAMTs to perform work beyond the scope outlined in this legislation, so it is also beneficial to maintain a local license.

13) Where can I find more information on how to enroll in a CAMT class?

CAMT classes are offered through many local apartment association affiliates. Please contact your local affiliate for information on upcoming classes. Additional information can be found online here:
<http://www.naahq.org/learn/education/certification-for-apartment-maintenance-technicians>

14) Where can I find a copy of the legislation that passed?

You can find a copy of the legislation here:
<https://www.flsenate.gov/Session/Bill/2016/0535/BillText/er/PDF>

The section pertaining to apartments begins on line 308 and ends on line 363.

15) My question was not answered here. Who can I contact for more information?

Please email Courtney Barnard, FAA government affairs director regarding any additional questions. Courtney@faahq.org