Written Consent Information per Statute:

According to Florida Statute Chapter 720, a Homeowners Association (HOA) must obtain an owner's written consent to communicate with them electronically. While there is no single, standard "contact permission form" mandated by state law, most HOAs will provide a form to gather this consent and keep it as an official record.

An owner who consents to electronic communication also agrees to have their email address become part of the association's official records.

Key requirements for a FL 720 contact permission form

Based on Florida Statutes, a valid electronic consent form for an HOA should include:

- **Written authorization:** The owner must provide specific written authorization for the association to send notices and other communications by electronic means.
- **Email address designation:** The owner must provide the email address they wish to use to receive these electronic notices.
- **Revocability:** The form must specify that the owner can revoke their consent at any time.
- **Record-keeping:** The association must keep the signed consent form as part of its official records.

What a sample form should include:

Most HOAs create a simple form that includes the necessary information. A typical form contains:

- **Header:** Document title, such as "Consent to Receive Official Notices via Electronic Transmission."
- **Owner/Parcel information:** The owner's name and property address.
- **Consent statement:** A clear statement granting permission for the HOA to send official notices by email. For example: "I hereby consent to receive all official association notices via electronic transmission at the email address provided below."
- **Email address field:** A space for the owner to write or type their designated email address.

- **Revocation statement:** A line explaining the owner's right to revoke consent. For example: "I understand that I may revoke this consent at any time by providing written notice to the association." [Exhibit B]
- **Signature and date:** A space for the owner's signature and the date.

Important notes for HOAs

- **Legal guidance:** The association's attorney can help prepare the appropriate consent form to ensure it complies with all relevant state laws and the association's governing documents.
- **Default method is mail:** If owners do not provide written consent for electronic delivery, the HOA must continue to send official notices via mail.
- **Separate from board communication:** While board members can use email for communication, they cannot cast votes on association matters via email. This is a separate rule and should not be confused with obtaining owner consent for electronic notices.

IMPLICATIONS of Florida Statute:

Of the 399 current emails on file, only those owners providing the Written Consent Authorization (Exhibit A) to the Association would be tagged to continue receiving emails such as, but not limited to, required notices, The Tales, social notifications and information regarding portal postings etc. via email.

Our current emails are a compilation furnished by member e-requests for Portal Passwords and personal info updates, Integrity, John M's master list, non-official consents furnished by members as well as informational documents obtained at closings. Estoppel packages now request a completed Consent form at closing.