



TALK OF THE TOWERS

Volume 3 Issue 11

April 2011

**Tower 41
Condominium Association**
4101 Pine Tree Drive
Miami Beach, Florida 33140

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IMPORTANT NUMBERS

Main 305-534-8378
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OFFICE HOURS

Mon. - Fri...... 8:00 am - 4:30 pm

Restaurant

41 On The Bay Restaurant
(Greenwald Caterers)
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INSIDE THIS ISSUE

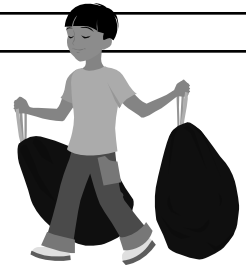
Exit Doors	1
Trash	1
Hallways	1
Tower 41 Newsletter.....	1
Happy Passover.....	2
Ask Donna	3
Activities for Residents.....	4
Internet Tidbit	4

Exit Doors

For our security please use caution when entering and exiting the building. Make sure to close all doors behind you to avoid unwanted individuals from entering our building.

Trash

Please do not leave any trash in the hallways. Trash must be brought to the trash room. Bags should be dropped down the chute.



Hallways

After Passover we will start remodeling the hallways. We apologize in advance for any inconvenience while we beautify our hallways with new wallpaper, carpeting and lighting.

Happy Easter



Tower 41 Newsletter

If you have anything special you would like to share with the residents of the Tower 41 Condominium, please let the manager know by the last day of each month so we can include it in the following month's newsletter.



Wishing all our Residents A Happy and Healthy Passover, Chag Kasher V'Sameach

PASSOVER SPONGE CAKE:

- 7 eggs, separated
- 1 whole egg
- 1 cup potato starch, sifted twice
- Juice of 1/2 lemon
- 1-1/2 cups sugar

Separate eggs. Beat the whites until stiff gradually adding the sugar. Set aside.

In separate bowl, add the one whole egg to the yolks and beat. Add lemon juice.

Gently fold yolks into whites. Gradually fold potato starch into batter.

Pour into ungreased tube pan and bake 350° for 1 hour and 10 minutes. Turn cake over to cool.



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ASK DONNA

Q: We've had a legal fund for years to safeguard against lawsuits, but the Board now wants to do away with it. Can they do this?

Donna: It depends what your governing documents say about this fund. If it was created pursuant to the documents (and not just something that was put in place years ago by board policy) then it must be maintained pursuant to those documents. Typically, associations have a line item in their budgets each year for Legal Expenses as opposed to a Legal Fund similar to a reserve account. Again, the answer rests with your documentary provisions as the statute does not require this par-

ticular reserve item.

Q: I'm receiving conflicting info about charging late fees on maintenance: Some say if it's not in our docs then it's not allowed, others say we have the right to charge late fees regardless. Who's right?

Donna: Whether you are a condo or HOA, the ability to charge late fees must be specified in your governing documents and not just as a board policy or practice. I'm sure some associations out there charge late fees without the benefit of such authority in their documents, but their liens and foreclosures will be challenged as a

result by any attorney who knows the statutes.

Donna DiMaggio Berger is Executive Director of the Community Advocacy Network (www.CANFL.com) and Managing Partner of the community association law firm of Katzman Garfinkel & Berger (www.KGBLawFirm.com). E-mail your questions to Donna today at AskDonna@kgblawfirm.com.

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Bottom Line Just Bottomed Out?

Maintaining cash flow and a balanced budget is a challenge for condominiums and HOAs in these difficult economic times. Even more so, given the negative impact of the mortgage foreclosure crisis on associations' ability to collect monthly fees from delinquent owners, often it is to the detriment of the rest of the owners.

Volunteer Boards of Directors need help in the form of good, solid counsel as to when and how best to proceed in the association collection process, how to deal with stalled bank foreclosures, when an association foreclosure on a delinquent property is in the community's best interest, when to seek blanket receiverships or other remedies, when and how the law allows collection of rent from tenants in delinquent units and much more.

That's why the statewide community association law firm of Katzman Garfinkel & Berger developed our new *Community Association Assessment Collection and Foreclosure Guidebook*, to respond to those questions and more in an easy-to-understand Q&A format designed to assist associations across the State in developing collection policies that help maintain cash flow and shore up the bottom line of association operating budgets.

Contact your Board members or association manager today and invite them to request a free copy of this valuable 24-page *Community Association Assessment Collection and Foreclosure Guidebook*. At the law firm of Katzman Garfinkel & Berger, we believe in helping communities regain and maintain their financial footing in order to ensure a brighter future for all association owners and residents.



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Attorneys at Law

Activities for Residents Only



BINGO:

Monday nights at 7:30 pm in the social hall



MOVIES:

Thursday nights at 7:30 pm in the social hall



MAH JONGG:

Monday-Thursday nights at 7:30 pm in the Card room



EXERCISE CLASSES:

Monday, Tuesday and Thursday from 10:30 am to 11:45 am.

Internet Tidbit

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