

Building Recertification for Owners and Managers



Department of Regulatory and Economic Resources

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Introduction

- This presentation is intended for building owners, condominium and cooperative associations, and managers of buildings which are covered by the program, such as:
 - Condominiums
 - Cooperatives
 - Apartments
 - Commercial
 - Industrial
 - Retail
 - Office, etc.

Topics for Discussion

- Outline of what this presentation will cover:
 - History of the recertification program
 - Recent changes and new state milestone inspection law
 - General information about recertification
 - Recertification notifications
 - Design professionals for inspections
 - When is the building due for recertification
 - Extensions of time
 - Duty of a design professional to report results
 - Report review process
 - Quality control inspections
 - Highlights of new condo/coop laws

Origins of the Recertification Program

On 8/5/1974, a building leased by the DEA located at 1201 NE 2 Ave., Miami collapsed and killed 7 people and injured 16 others.

THE NEW YORK TIMES, TUESDAY, AUGUST 6, 1974

end Contract

The union gains after that strike were followed by enactment of a law by the City Council and Mayor John V. Lindsay on March 1, 1971. It set up the new Taxi and Limousine Commission and provided fare increases averaging 45 per cent to the present level of 60 cents for the first fifth of a mile and 10 cents for each additional fifth.

The fleets are asking for 70 cents the first sixth of a mile and 10 cents for each additional sixth, estimating that the average 2.4-mile ride would go up from \$1.98 to \$2.35. Mr. Gore said "a 20 per cent increase would still keep New York City's fares 15th or 16th lowest among the nation's 20 major cities."

The industry estimates that every 1 per cent increase in fares leads to a 0.33 per cent loss of riders, Mr. Gore said. But the 1971 fare increase, he recalled, led to an unexpected loss of 24 per cent, with the riders returning only gradually and still down 18 per cent from the level before the increase.

Mr. Gore said the average fleet driver working five days a week, nine hours a day, grossed \$165 to \$170 a week, including tips.

The independent taxi owners' president, Mr. Baron, said that they feared that a 70-cent fare for the first drop of the taxi flag would "frighten away more business." He favored a lesser rise to 60 cents the first sixth of a mile.

Mr. Baron said the independent owner-operators had coped with rising costs by working longer hours—11 and 12 hours a day now, as against former 10-hour days.



Rescue workers swarming over wreckage of cars that had been parked on roof of Federal office building in Miami

Office Building Roof Collapses in Miami; 6 Killed, One Feared Dead

MIAMI, Aug. 5 (AP)—Six persons were crushed to death and a seventh was trapped and feared dead today when the roof of a Federal office building in downtown Miami collapsed sending tons of concrete and several parked cars crashing through the offices below.

The bodies of three women were recovered and policemen and firemen said they had seen three other bodies buried beneath the debris. A spokesman for the Drug Enforcement Administration said it would take hours to reach them.

Nearly nine hours after the building collapsed, workers reached the first body, identified as that of Ann Poye, a 55-year-old cashier from Fort Lauderdale. The body of another woman pulled from the wreckage was identified as that of Anna V. Mousas, 24.

Source: The New York Times

Origins of the Recertification Program

- On May 21, 1975, the Board of County Commissioners adopted and passed Ordinance No. 75-34, amending the South Florida Building Code (at the time) to require that all buildings, except single family residences, duplexes and minor structures, 40 years old or older be recertified as to their structural safety.
- Subsequent recertifications were required at 10-year intervals.

Basic Purpose of this Program

- Get a set of trained eyes to inspect and determine how the building is aging
- Identify any structural distress
- Identify any electrical issues
- Recommend repairs, if any, so the building can continue to serve its purpose

Recertification Program Changes

- Miami-Dade County Recertification Working Group
 - Initiated by MDC Regulatory and Economic Resources (RER) Department
 - Group comprised of County Department staff and local Building Officials
 - Develop enhancements to the current program in the wake of the Champlain Towers collapse

Recertification Program Changes

- Miami-Dade adopted a strengthened milestone inspection program that reduced the inspection cycle from 40 to 30 years, among other changes.
- Florida recently enacted a new law that created a milestone inspection program across the entire state, it is currently limited to condominium and cooperative association buildings 3-stories or taller.
- Some Condominium and Cooperative law changes include:
 - Not being able to waive reserves
 - Providing a reserve study every 10-year to set maintenance reserve amounts

Buildings Covered by the Program

- All buildings and structures are covered, except;
- Recertification does not apply to:
 - Single family residences and duplexes; or
 - Agricultural exempt buildings; or
 - Minor buildings 2,000 square feet or less and having an occupancy load of 10 or less based on the building code classification
 - Both conditions must apply (size and occupants)
 - Occupancy is based on the potential occupancy load for the use classification in the code
 - If recertification notice is received, it is the owner's responsibility to request an exemption in writing from the Building Official

Elements for Recertification

- Methodology used:
 - Visual inspection at first
 - Identify any structural distress
 - Perform non-destructive and/or destructive testing, when necessary
 - Load testing, when necessary
 - Review engineering documents, if available
 - Review prior building recertification reports, if applicable

Elements for Recertification

- Structural Elements
 - Foundation (signs of ground settling)
 - Masonry bearing walls (settlement cracks)
 - Main structural elements such as columns, beams, and slabs (spalling)
 - Wall, Floor, and roof structural framing systems (spalling, overloading, cracks)
 - Roof covering (condition of roofing membrane)
 - Windows and doors (leaking)
 - Building façade (cladding, appurtenances, other)

Elements for Recertification

- Electrical Elements

- Visually inspecting and describing the electrical service equipment supplying the building
- Identifying branch circuits
- Evaluating wiring
- Evaluating conduits to be free of corrosion and dents
- Inspecting emergency lighting, exit signs, fire alarm system, where applicable
- Performing an infrared thermography inspection on electrical systems operating at 400 amps or greater

Building Information

- Obtain plans and documents for the building, if available
 - Review original engineering to understand how the building is designed
- Building violations
 - Do they affect the structural and/or electrical elements of the building?
- Under which building code was the building built?
 - Building undergoing recertification DO NOT need to conform to current codes

Regular Maintenance

- Ongoing maintenance to combat the effects of aging, environment, and building's reaction to changing loads from wind and gravity includes:
 - Visually inspect building regularly
 - Periodic painting
 - Roof maintenance
 - Seal hairline cracks
 - Maintain expansion joints
 - Conduct minor repairs immediately
- Don't wait for the building recertification program notification to begin performing maintenance
 - Be proactive!

Public Information

- Miami-Dade County Recertification Data Portal
 - Link from: www.miamidade.gov/recertification
 - Search the status of a building recertification case from May 1996 to the present
 - Use folio, address, property owner name, and case number to find a case
 - Links to cases referred to the Unsafe Structures Section
 - Link to request documents through a public records request

Public Information

- Miami-Dade County Building Recertification Webpage
 - www.miamidade.gov/recertification
 - Find guidance information, forms, links, Q&A, etc.
 - The upload portal for submitting and tracking recertifications
 - Pay fees online
 - Search Building Violation Cases

Building Recertification Portal

Export

Search Again

Cases Found:

Case Number	Case Closed	Notif. Issue Date	Recert. Date	Property Address	Folio Number	Building Number	Owner(s) Name	Case Status
F2022010667		10/18/2021		18430 S DIXIE HWY	30-6005-001-0130	1	AZUL CUTLER BAY LLC PO BOX 69 JUPITER FL 33468	ENFORCEMENT
F2022010719	9/15/2022	10/18/2021	9/15/2022	12901 SW 89 CT	30-5016-027-0020	1	LEVTOP INC 1000 QUAYSIDE TER #612 MIAMI FL 33138	CLOSED
F2022011089		10/18/2021		7980 NW 67 ST	30-3015-014-0090	1	THREE HIBISCUS INVESTMENTS, LLC 7980 NW 67 STREET MIAMI FL 33166	ENFORCEMENT
F2022011400	9/15/2022	10/18/2021	9/15/2022	7810 CAMINO REAL I105	30-4034-032-0001	78107815	THE VILLAGE OF KINGS CREEK CONDOMINIUM ASSOCIATION, INC. 7711 CAMINO REAL MIAMI FL 33143	CLOSED

To request documents for this case, submit a [public records request](#)

[Search Again](#)

Case Number:	F2022010667	Due Date:	10/21/2022	Square Footage:	4494
Date Opened:	10/13/2021	Year Built:	1972	Folio Number:	30-6005-001-0130
Notification Issue Date:	10/18/2021	Property Address:	18430 S DIXIE HWY	CLUC Code Description:	0013-Office Building
Recertification Date:		Bldg. No.:	1	A/E Report Company:	
Close Date:		Case Status:	ENFORCEMENT		

Owner Name	Owner Address
AZUL CUTLER BAY LLC	PO BOX 69 JUPITER , FL 33468 , USA

Activity Code	Description	Date	Comments
725	Physical Files Transferred to Unsafe Structure Section	9/16/2022	File sent to Unsafe Structures.
717	Correspondence Sent	9/16/2022	Conversion letter mailed.
23	Converted to Unsafe Structures Case	9/16/2022	Converted to Unsafe due to Non-Compliance.
15	Notice of Violation (NOV), Letter #5	8/12/2022	Notice of Violation for failure to recertify.
29	Correspondence	6/23/2022	Letter # 3 Mailed.

Invoice Number	Bill Date	Process Fee	Paid Date	Amount Paid	Balance
F2022010667	10/18/2021	403.12	5/19/2022	403.12	0.00



State Registry

- Division of Florida Condominium, Timeshares, and Mobile Homes of the Department of Business and Professional Regulation
 - On or before January 1, 2023, condominium associations must provide the following to the division:
 - Number of buildings on the condominium property that are three stories or higher in height
 - The total number of units in all such buildings
 - The addresses of all such buildings
 - The counties in which all such buildings are located
 - This information will be searchable on the Division's website

County Registry

- Coming soon!

When is my Building Due for Recertification?

- New County Ordinance and State Law modified the recertification cycles:
 - Condominiums and Cooperative buildings 3 stories or taller within 3 miles of the coastline must recertify once the building becomes 25 years old and then every 10 years there after
 - All other buildings must recertify once the building becomes 30 years old and then every 10 years there after, no matter their location
 - Includes condos/coops two stories or less, and all other building occupancy types

When is my Building Due for Recertification?

- Buildings built on or before 1982 that have had an initial recertification due under the previous 40-year recertification program:
 - The initial and any previous recertifications already performed remains valid
 - These buildings will require a subsequent recertification 10 years from the previous recertification due date
 - These buildings will continue to use the “Year Built” for the recertification cycle

When is my Building Due for Recertification?

- Transition years are those buildings built from 1983 to 1997 for coastal region and from 1983 to 1992 for all other buildings:
 - Due to the transition from 40 years to 30 years to 25 years, these groups of buildings become due by December 31, 2024, so they are not skipped
 - This range of buildings will have the recertification cycle reset to 2024 to avoid duplicate recertifications within the next 10 years, regardless of the year built
 - These buildings will be due for a 10-year subsequent recertification in the years 2034, 2044, 2054 and so on

When is my Building Due for Recertification?

- As of 2023, the following buildings are due for their initial recertification:
 - Beginning with buildings built in 1998 for condominium and cooperative buildings 3-stories or taller within 3 miles of the coastline that have reached the age of 25 years old and every 10-years there after (2033, 2043...)
 - Beginning with buildings built in 1993 for all other buildings that have reached the age of 30 years old and every 10-years there after (2033, 2043...)

When is my Building Due for Recertification?

- If these last few slides seem complicated, don't worry!
- The Department will send notifications when its time for recertification to start.

Notifications from Building Official

- New advance notifications
 - Advance notices serve to provide additional time to:
 - Hire a design professional
 - Conduct milestone inspection
 - Identify needed repairs
 - Hire a contractor
 - Acquire funding
 - Obtain repair permits
 - First notification two years out*
 - Second notification one year out*

*Does not apply to transition year buildings and the first two years of the program

Notifications from Building Official

- Final 90-day notice
 - Sent at the beginning of the year when the building is due for recertification
 - The recertification report is timely when submitted within the 90-day period
 - Structural and electrical reports are due
 - Payment must accompany the reports
 - Reports and payment may be submitted online, brought in person, or mailed

Who Can Perform a Recertification Inspection?

- Depends on the building:
 - Any building which is 3-stories or less, or 50 feet or less in height that is not classified as a threshold* building can be inspected by any Florida licensed architect or engineer
 - Any building 4-stories or taller and other buildings classified as a threshold* building must be inspected by a Florida licensed structural engineer and the electrical system must be inspected by an electrical engineer
 - The new County ordinance defines the qualifications of the structural engineer

*THRESHOLD BUILDING is any building which is greater than 3 stories or 50 feet height, or which has an assembly occupancy classification that exceeds 5,000 square feet in area and an occupant content of greater than 500 persons.

Duty to Report

- Any engineer or architect who performs an inspection of an existing building or structure has a duty to report to the Building Official any findings that, if left unaddressed, would endanger life or property no later than ten (10) days after informing the building owner of such findings.
- However, if such engineer or architect finds that there are conditions in the building or structure causing an actual or immediate danger of the failure or collapse of a building or structure, or there is a health, windstorm or fire hazard, such engineer or architect shall report such conditions to the Building Official within twenty-four (24) hours of the time of discovery.
- Provision for penalties

Are Condo Unit Interiors Covered?

- Condo ownership generally spans between the surfaces of finished walls, floor and ceiling
- Balconies are generally listed as limited common element and may need to be accessed from the unit for the structural inspection
- BORA interpreted that the visual examination must be conducted throughout all habitable and non-habitable areas of the building, as deemed necessary by the inspecting professional
- The Thermography inspection is not required of the dwelling unit electrical panel; hence the unit's electrical components are not part of the inspection

Extensions of Time

- Given advanced notifications, extensions of time should not become necessary, but if they are needed here are the parameters:
 - If additional time is needed to submit reports or obtain repair permit, an extension up to 60 days can be requested by the design professional
 - Provided an affidavit, as a result of a recent site inspection, affirms that the building can continue to be occupied during the process of recertification
 - Recertification cases must be under an approved extension of time once reports become past due
 - Extension fee applies

Extensions of Time

- If repairs are required and permit has been obtained to perform building repairs that satisfy the recertification:
 - An extension up to 180 days can be requested by the design professional that performed the recertification inspection under a valid repair permit
 - Provided an affidavit, as a result of a recent site inspection, affirms that the building can continue to be occupied during the repair process

Extensions of Time

- Extensions of time or affidavits from the design professional are not required when submitting reports within the advance noticing period.
 - Prior to reports becoming past due

Report Completion and Repairs

- Inspections may result in repairs needed
- Submit the reports immediately (do not wait)
- Do not start repairs to satisfy the report results before submitting it
- Repair permits are needed prior to commencing repairs
- Obtaining repair permit will afford additional time to complete recertification
- After repairs have been completed, an updated report must be submitted to finalize recertification

Non-Compliance with Recertification

- Repercussions of not complying with recertification
 - Electrical disconnection as determined by the Building Official, rendering the building uninhabitable
 - Demolition order as determined by the Unsafe Structures Board
 - Unsafe conditions found and the building is placard
 - In these cases, all unit owners must be notified by the association
 - Failure to submit the report may result in the issuance of a Civil Violation Notice or ticket without further notice

Submittal and Review Process

- Submit reports
 - Once reports are complete, even if repairs are required, submit via the upload portal with initial fee
- Processing reports
 - Structural and electrical reviews by the County
 - Review the entire report for noted conditions of the building and electrical components
 - Confirm if repairs are required
- Parking lot lighting and safeguards for abutting water body
 - Review affidavits in compliance with MDC Ordinance 8C-3 and 8C-6

Possible Review Outcomes

- Repairs not required (clean bill of health)
 - All building components reported to be safe and sound
 - Recertification for structural and electrical are approved
 - Next recertification cycle in 10 years from the date of original notification

Possible Review Outcomes

- Repairs required
 - Hire a design professional to create plans and specifications for the repairs
 - Hire a contractor to perform repair work
 - Acquire repair permit
 - Complete the work
 - Amend the recertification report indicating a clean bill of health for the building
 - Resubmit recertification report for re-review (fee applies)
 - Recertification for structural and electrical is approved
 - Next recertification cycle in 10 years from the date of original notification

Quality Control Inspections

- Quality Control inspections by the County
- Includes all threshold buildings and a percentage of all other buildings (separate fee due)
- Purpose: To confirm compliance with the ordinance and that the report correlates with the physical building
- Building Official can revoke recertification during inspection or upon future complaint
 - If the report is discovered to have been misrepresented, the Building Official can revoke the recertification, require corrections, or refer building to the Unsafe Structures Board

Highlights of the New Condo Laws

- Topics
 - The County does not enforce the condo or coop laws of the state
 - A structural integrity reserve study
 - Waiving reserves
 - Association responsibility over milestone inspection
 - The Department of Business and Professional Regulations

Highlights of the New Condo Laws

- A structural integrity reserve study must be completed by December 31, 2024
 - The study is used to set the reserve amount
 - The study is conducted every 10 years for condo/coop buildings that are 3 stories or higher
 - The purpose is to determine the remaining useful life of various common building components for budgeting replacement
 - Components included:

Highlights of the New Condo Laws

- Components included:
 - Roof
 - Load-bearing walls or other primary structural members
 - Floor
 - Foundation
 - Fireproofing and fire protection systems
 - Plumbing
 - Electrical systems
 - Waterproofing and exterior painting
 - Windows
 - Any other item that cost more than \$10,000

Highlights of the New Condo Laws

- Waiving reserves
 - As of December 31, 2024, associations may not elect to waive reserves or have less reserves than required to cover the items in the structural integrity reserve study
- The condo or coop association is responsible for ensuring that a milestone inspection is conducted
- The association must distribute a copy of the milestone inspection report to each unit owner
- The Division of Florida Condominiums, Timeshares, and Mobile Homes is responsible for enforcing compliance with complaints related to the procedural completion of the milestone inspection as well as the structural integrity reserve study

Main Take-aways

- Miami-Dade's recertification ordinance meets and exceeds the requirements of state law
- Do not wait for a recertification cycle to perform maintenance
- Complete the milestone inspection within the allotted time
- If repairs are required, do not start before a permit is acquired
- Make sure reserves are adequate to fund ongoing maintenance (applies to all buildings)

Thank you.

Questions Please! ?

