

Florida Community Association Manager Practice Exam (Sample)

Study Guide



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SAMPLE

Questions

- 1. What is the minimum number of directors required for a Homeowners Association (HOA)?**
 - A. 2**
 - B. 3**
 - C. 4**
 - D. 5**
- 2. What does the Condominium Act FS 718.111 address?**
 - A. Community living regulations**
 - B. Insurance requirements**
 - C. Building maintenance codes**
 - D. Condo association election procedures**
- 3. Which is a requirement for board member eligibility?**
 - A. Must be a board member for at least one year**
 - B. Must be a natural person and at least 18 years old**
 - C. Must have previous experience in management**
 - D. Must be a resident of the community for more than a year**
- 4. What is the primary function of a community association's Articles of Incorporation?**
 - A. To comply with federal regulations**
 - B. To establish the management structure and authority**
 - C. To document insurance policies**
 - D. To promote community events**
- 5. The secretary must retain the written certification or educational certificate of a director for how long after the election?**
 - A. 3 years**
 - B. 5 years**
 - C. 7 years**
 - D. 10 years**

- 6. What additional appurtenances do members in community associations have?**
- A. Ownership of private property**
 - B. Access to exclusive events**
 - C. Rights to use common elements**
 - D. Individual management of common finances**
- 7. Which entity regulates Community Associations in Florida?**
- A. Department of Business and Professional Regulation (DBPR)**
 - B. Florida Real Estate Commission**
 - C. Florida Department of Agriculture**
 - D. Florida Legal Services**
- 8. Which of the following scenarios could necessitate the approval of the condominium board?**
- A. Simple repairs to individual units**
 - B. Replacement of external light fixtures**
 - C. Proposed alterations to common areas**
 - D. Changing entry locks for residents**
- 9. From where is the authority to regulate Community Associations derived?**
- A. Florida Administrative Code**
 - B. Florida Statutes**
 - C. Florida Constitution**
 - D. Local Ordinances**
- 10. Under what condition are proxies in condos, coops, and HOAs considered valid?**
- A. If signed by the member**
 - B. If sent via email**
 - C. If witnessed by a board member**
 - D. If submitted 3 days in advance**

Answers

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1. B
2. B
3. B
4. B
5. B
6. C
7. A
8. C
9. B
10. A

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Explanations

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1. What is the minimum number of directors required for a Homeowners Association (HOA)?

- A. 2
- B. 3**
- C. 4
- D. 5

In Florida, the law dictates that a Homeowners Association (HOA) must have a minimum of three directors. This requirement ensures that the board has enough members to make decisions and provide guidance for the association. Having three directors helps to establish a basic level of governance and accountability, as it allows for majority decision-making, which is crucial for the effective operation of the association. If an HOA had only two directors, there would be potential issues with tie votes, which could hinder the decision-making process and lead to deadlocks. Therefore, the requirement for three directors is specifically designed to promote effective management and governance within the association. This helps to ensure that there is adequate oversight and that diverse perspectives can contribute to the decisions being made for the community.

2. What does the Condominium Act FS 718.111 address?

- A. Community living regulations
- B. Insurance requirements**
- C. Building maintenance codes
- D. Condo association election procedures

The Condominium Act, specifically FS 718.111, addresses insurance requirements for condominium associations. This section stipulates the types of insurance that associations must maintain, including property insurance, liability insurance, and any other coverage deemed necessary for the protection of the condominium and its members. It outlines the obligations of the association to insure common elements and the extent of coverage required to safeguard against potential risks, ensuring that both the association and individual unit owners are protected financially in case of damages or disasters. By focusing on insurance requirements, the act plays a critical role in providing a framework that helps protect the interests of homeowners within condominium communities, promoting stability and security in community living. Understanding these provisions is vital for community association managers, as they are responsible for ensuring compliance and maintaining the necessary insurance coverage to protect the community's assets.

3. Which is a requirement for board member eligibility?

- A. Must be a board member for at least one year
- B. Must be a natural person and at least 18 years old**
- C. Must have previous experience in management
- D. Must be a resident of the community for more than a year

The requirement for board member eligibility stating that a candidate must be a natural person and at least 18 years old is crucial because it sets the legal foundation for responsible governance within community associations. Being a natural person means that the individual can represent themselves and take personal responsibility for their actions and decisions as a board member. The age requirement of at least 18 years ensures that all board members are adults who can legally enter into contracts, make binding decisions on behalf of the community, and fulfill civic duties. This eligibility criterion ensures that board members have the legal standing necessary to manage the association's affairs. It enables individuals who are able to understand and participate in discussions about finances, contracts, and community rules to make informed decisions that affect all members of the community. While previous experience in management or residency duration might be beneficial for a board member, these are not universal legal requirements for eligibility. This distinction highlights the fundamental necessity of having age and personhood criteria established by law to ensure effective and accountable governance in community associations.

4. What is the primary function of a community association's Articles of Incorporation?

- A. To comply with federal regulations
- B. To establish the management structure and authority**
- C. To document insurance policies
- D. To promote community events

The primary function of a community association's Articles of Incorporation is to establish the management structure and authority. These articles serve as a foundational legal document that outlines how the association will be governed. They typically include important information such as the association's name, purpose, governance structure, and the power of the board of directors, including their duties and authority. This jurisdiction establishes the framework within which the community association operates, ensuring that there is clear guidance on decision-making processes and the relationship between the members and the governing body. While compliance with federal regulations, documentation of insurance policies, and promoting community events are all important aspects of community association management, they do not encapsulate the primary function of the Articles of Incorporation. The articles primarily focus on legal governance rather than operational specifics or community engagement activities.

5. The secretary must retain the written certification or educational certificate of a director for how long after the election?

- A. 3 years**
- B. 5 years**
- C. 7 years**
- D. 10 years**

The duration for which the secretary must retain the written certification or educational certificate of a director after the election is five years. This requirement ensures that there is a clear record of the qualifications of directors, which is essential for maintaining transparency and accountability within the community association. Retaining documentation for this length of time allows for verification of compliance with educational requirements and helps ensure that the board is composed of individuals who are properly trained to manage the community's affairs. This period also aligns with the framework established under Florida statutes, which govern the operation of community associations. By adhering to this retention schedule, community associations can demonstrate due diligence in maintaining records related to the qualifications of their directors, thereby protecting the interests of the association and its members.

6. What additional appurtenances do members in community associations have?

- A. Ownership of private property**
- B. Access to exclusive events**
- C. Rights to use common elements**
- D. Individual management of common finances**

Members in community associations typically have rights to use common elements, which are parts of the property owned collectively by all members of the association. These common elements may include amenities such as pools, clubhouses, parks, and other shared facilities that are intended for the enjoyment and benefit of all residents. The rights to use these common elements are important as they foster a sense of community among residents and contribute to the overall value and enjoyment of living in the association. Unlike private property ownership, which is exclusive to individuals or households, access to common elements is a shared benefit that enhances communal living. Additionally, using these facilities often comes with specific rules and regulations set by the association to ensure fair use and maintenance of the property. In contrast to the other options, members typically do not have independent ownership of private property in a shared setting, nor do they manage common finances individually, as these financial matters are usually handled by the association's management. Exclusive events might occur, but they do not represent the fundamental appurtenances that define a community association's structure and member rights.

7. Which entity regulates Community Associations in Florida?

A. Department of Business and Professional Regulation (DBPR)

B. Florida Real Estate Commission

C. Florida Department of Agriculture

D. Florida Legal Services

The entity that regulates Community Associations in Florida is the Department of Business and Professional Regulation (DBPR). This department oversees various aspects of community associations, including the licensing of community association managers and the enforcement of laws governing the operation of these associations. The DBPR's responsibilities include implementing and enforcing Chapter 720 of the Florida Statutes, which specifically addresses homeowners' associations, and Chapter 718, which pertains to condominium associations. This regulatory framework is designed to protect the rights of both the associations and their members, ensuring compliance with state laws and promoting fair management practices. The other options provided do not encompass the regulatory functions specific to community associations. The Florida Real Estate Commission primarily focuses on regulating real estate licenses and transactions rather than community associations themselves. The Florida Department of Agriculture deals with agricultural matters and does not have a regulatory role in community associations. Florida Legal Services provides legal assistance and advocacy but is not a regulatory body for community associations. Understanding the DBPR's role is essential for community association managers as it helps them navigate the legal landscape of community governance and ensures proper compliance with state regulations.

8. Which of the following scenarios could necessitate the approval of the condominium board?

A. Simple repairs to individual units

B. Replacement of external light fixtures

C. Proposed alterations to common areas

D. Changing entry locks for residents

The necessity for the condominium board's approval is particularly relevant when it comes to proposed alterations to common areas. In a condominium setting, common areas—such as hallways, lobbies, pools, and gardens—are collectively owned by all unit owners, and any alterations to these spaces typically require the board's oversight. This ensures that changes align with the community's overall aesthetic, functionality, and regulatory compliance, and that they do not negatively impact other residents. Common areas are governed by the association's rules and regulations, which are in place to maintain the integrity and harmony of the community. Large-scale or aesthetic changes often require careful consideration by the board to assess the impact on all homeowners, including potential costs or special assessments that may arise from the change. In contrast, simple repairs to individual units and changing entry locks for residents generally fall under the responsibility of the individual unit owners and do not require board approval. Likewise, while the replacement of external light fixtures might seem significant, if those fixtures are not part of the common property (for example, if they are exclusively for a specific unit), it may also not necessitate board approval. This distinction emphasizes the board's role in the management of shared spaces versus individual unit matters.

9. From where is the authority to regulate Community Associations derived?

- A. Florida Administrative Code**
- B. Florida Statutes**
- C. Florida Constitution**
- D. Local Ordinances**

The authority to regulate Community Associations in Florida primarily comes from Florida Statutes. These statutes provide the legal framework and guidelines under which community associations, such as homeowners associations or condominium associations, operate. Florida Statutes detail the responsibilities, rights, and obligations of both the associations and their members, ensuring proper governance and management of community living arrangements. In the broader context, Florida Administrative Code contains rules and regulations but operates under the guidelines established by Florida Statutes. Local ordinances may also play a role in specific communities, but they typically cannot supersede the overarching state statutes. The Florida Constitution sets the fundamental laws for the state but does not specifically address the management of community associations. Thus, the correct answer firmly establishes that Florida Statutes are the primary source of authority for regulating community associations.

10. Under what condition are proxies in condos, coops, and HOAs considered valid?

- A. If signed by the member**
- B. If sent via email**
- C. If witnessed by a board member**
- D. If submitted 3 days in advance**

Proxies in the context of condos, coops, and homeowners associations (HOAs) are a method for members to authorize someone else to vote on their behalf during meetings. For a proxy to be considered valid, it must typically fulfill specific legal and procedural requirements set forth in the governing documents of the association and Florida law. The condition that requires the proxy to be signed by the member is critical because it serves as proof of the member's intent to appoint someone else to act on their behalf. The signature signifies that the member agrees to the terms of the proxy and endorses the designated person to represent their vote. This element of authorization is foundational to ensuring that proxies are legitimate and that the person's rights within the association are respected. The other options, while they may embody practices that associations might adopt, do not encapsulate the essential validity requirement like a member's signature does. For instance, sending a proxy via email or having it witnessed by a board member are not universally recognized as conditions that validate a proxy without the member's signature. Additionally, submitting proxies a certain number of days in advance may be a procedural guideline but does not impact the validity itself without the member's signed consent. Therefore, ensuring that proxies are signed by the member is the most