

The Tennyson, A Condominium
The Tennyson Owners' Association, Inc.

**Association Guidance on
Requests for Estoppel Certificates**

1. **What is an Estoppel Certificate?** In general terms, an estoppel certificate is a legal document that may be relied upon by a purchaser or lender as to a seller's current financial status about what fees are owed to the condominium or home owners association. The document is typically used in a real estate transaction to determine what, if any, condominium or home owner fees are owed to the association or whether the owner's account is paid to date. For condominiums, the contents of an estoppel certificate include the information specified under the Florida Condominium Act, Chapter 718.116 and may also include other information that is helpful or relevant to the conveyance of a condominium unit.
2. **When is an estoppel certificate requested?** An estoppel certificate may be ordered once the condominium unit is under contract for sale. It should be ordered well before the scheduled closing date.
3. **How much time should be allowed for issuance of an estoppel certificate?** Florida law allows the Association up to 10 business days to issue a certificate once a written request is received by the Association. **Please note that the association is under no obligation to expedite its processing to meet a closing date that is less than 10 business days from the date of the request.** The closing agent and other parties to the real estate transaction should schedule the closing date accordingly.
4. **Who may request an estoppel certificate?** An estoppel certificate may be requested by one of the following: current unit owner or unit owner's designee; or unit mortgagee or unit mortgagee's designee. Because the information provided in an estoppel certificate is sensitive financial information relating to the unit owner, no other party (including a purchaser) may request or receive an estoppel certificate. If the entity making the request is not the unit owner, the requestor must include a letter or other written documentation that the entity is the unit mortgagee or the mortgagee's or owner's designee.
5. **Estoppel request form.** An estoppel request form is attached to this guidance.
6. **How much does the estoppel certificate cost?** The association has adopted a fee schedule in compliance with the Florida Condominium Act. The fee schedule is as follows:
 - a. \$250 for preparation & delivery of an estoppel certificate where no delinquent amounts are owed to the Association;
 - b. \$150 (in addition to base fee) if a delinquent amount is owed to the Association; and
 - c. \$100 (in addition to base and any delinquent fee) if an estoppel certificate is requested on an expedited basis and delivered within 3 business days after written request.
7. **To whom is the estoppel certificate fee paid?** The fee is paid to *"The Tennyson Owners' Association, Inc."* and must be pre-paid or arranged to be paid by the closing agent at the time of the closing.
8. **When are any delinquent amounts paid to the Association?** Typically, any balances owed to the Association are paid at closing but unpaid balances may be paid prior to the closing. If they are paid prior to the closing, an amended estoppel certificate may be requested.

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9. **May the fee be refunded?** If the Association does not deliver the estoppel certificate within 10 business days after written request, the fee may not be charged. In addition, if a closing on the unit does not occur within 30 days of the closing date, and upon the payor's request made within 30 days, the fee may be refunded to that payor (other than the unit owner). The refund is the obligation of the of the unit owner.
10. **How long is an estoppel certificate effective?** An estoppel certificate that is hand delivered or sent by electronic (e.g., email) means has a 30-day effective period. An estoppel certificate that is sent by regular mail has a 35-day effective period.

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REQUEST FOR ESTOPPEL CERTIFICATE

Date Requested: _____

Subject Unit #: _____

Name of Unit Owner of Record: _____

Closing Date: _____

Full Name of Requestor: _____

Company Name: _____

Mailing Address: _____

Email Address: _____

Tel No: _____

Requestor is: *(check one)*. **If not the unit owner, requestor must provide documentation of requestor's status.**

Current unit owner Unit owner's designee

Unit mortgagee Unit mortgagee's designee

"I, hereby, request an estoppel certificate for the subject unit. I am the unit owner or the unit mortgagee or authorized designee. I agree to pay all applicable fees related to the preparation and delivery of the estoppel certificate. I further request that the estoppel certificate be:

A. *Delivery method: mailed to me (USPS) at the above noted mailing address
 hand delivered or emailed to me at the above noted email address*

B. *Expedited request: prepared & delivered within 10 business days of request
 prepared/delivered within 3 business days (\$100 add 'l fee)"*

Signed By: _____

Print name and title: _____