

To: Property Appraisers
From: James McAdams
Date: July 9, 2010
Bulletin: PTO 10-10

**FLORIDA DEPARTMENT OF REVENUE
PROPERTY TAX INFORMATIONAL BULLETIN**

Assessment of Properties Affected by Imported or Domestic Drywall

The 2010 Legislature enacted Chapter 2010-170, Laws of Florida, (CS/CS/HB 965) effective June 1, 2010. It applies to the 2010 and subsequent assessment rolls. This law creates Section 193.1552, Florida Statutes, requiring property appraisers to adjust the assessed value of affected single-family residential property by considering the presence of imported or domestic drywall and its impact on the assessed value. The law will be repealed on July 1, 2017, unless the Legislature reviews and reenacts it before that date.

Section 193.1552, Florida Statutes, is created to read (words stricken are deletions; words underlined are additions):

193.1552 Assessment of properties affected by imported or domestic drywall.—

(1) As used in this section, the term “imported or domestic drywall” means drywall that contains elevated levels of elemental sulfur that results in corrosion of certain metals.

(2) When a property appraiser determines that a single-family residential property is affected by imported or domestic drywall and needs remediation to bring that property up to current building standards, the property appraiser shall adjust the assessed value of that property by taking into consideration the presence of the imported or domestic drywall and the impact of such drywall on the assessed value. If the building cannot be used for its intended purpose without remediation or repair, the value of such building shall be assessed at the nominal just value of \$0.

(3) This section applies only to properties in which:

(a) Imported or domestic drywall was used in the construction of the property or an improvement to the property.

(b) The imported or domestic drywall has a significant negative impact on the just value of the property or improvement.

(c) The purchaser was unaware of the imported or domestic drywall at the time of purchase.

(4) This section does not apply to property owners who were aware of the presence of imported or domestic drywall at the time of purchase.

(5) Homestead property to which this section applies shall be considered damaged by misfortune or calamity under s. 193.155(4)(b), except that the 3-year deadline does not apply.

(6) Homestead property shall not be considered abandoned when a homeowner vacates such property for the purpose of remediation and repair under this section, provided the homeowner does not establish a new homestead.

(7) Upon the substantial completion of remediation and repairs, the property shall be assessed as if such imported or domestic drywall had not been present.

(8) This section is repealed July 1, 2017, unless reviewed and reenacted by the Legislature on or before that date.

The full text of the change can be accessed at: http://laws.flrules.org/files/Ch_2010-170.pdf.

For more information on this topic, please see PTO bulletin [10-09](#).

The Department of Revenue provides this bulletin for your general information. If you have questions regarding this matter, you may e-mail DORPTO@dor.state.fl.us.