

Sarah Rodriguez Authors OBJ Article on Florida Statutes of Limitations

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[Sarah Rodriguez](#), a partner in Shutts & Bowen LLP's Orlando office, recently authored an article for the Orlando Business Journal (OBJ), providing a breakdown of sweeping tort reform that will impact the claims investigation process.

In her article, "Florida Statutes of Limitations Bring Big Impacts," Sarah highlights several examples of how this new tort reform can impact various lawsuits, from personal injury cases and negligence actions to construction-defect litigation. The article notes that Central Florida businesses should be aware of the sweeping tort reform that focuses on reductions and limits on statutes of limitations for certain incidents or accidents. As Sarah points out, "these changes have sweeping implications for individuals, businesses and insurers, and will impact litigation in the state."

The following excerpt appeared in the Orlando Business Journal on July 14, 2023. Commentary provided by [Sarah Rodriguez](#) – Guest writer.

Property owners, landlords, tenants, developers, and others in the construction industry will be affected by the statute of limitations changes for construction defect litigation brought about by Senate Bill 360.

Although the four-year statute of limitations for defect claims didn't change, SB 360 alters the start of the four-year statute of limitations for patent defects and removes certain triggering events.

Now, the only triggering events are: (1) issuance of a temporary certificate of occupancy (TCO), certificate of occupancy (CO), or certificate of completion; or (2) the date of abandonment of construction, if not completed. The limitations period begins on the earliest date instead of the latest, per SB 360.

Moreover, for multi-dwelling buildings (such as condominiums), each building will be treated separately for statute of limitations purposes. So the time to bring construction defect claims for one condominium building receiving the first TCO may expire months or even years before the rest of the project.

This will require detailed record-keeping to ensure each building's triggering so investigations are completed quickly once a defect is discovered. SB 360 also reduced the statute of repose deadline for latent defects from 10 years to seven years.

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To read the full article, [click here](#) (page 31).

About Sarah Donini Rodriguez

Sarah Donini Rodriguez is a Partner in the Orlando office of Shutts & Bowen LLP, where she is a member of the Construction Litigation Practice Group. Sarah's experience includes representing clients in construction litigation, construction contract preparation and commercial litigation. She has represented developers, land owners, contractors, design professionals, and suppliers in complex state and federal litigation involving professional malpractice, design errors, construction defect claims, delay claims, lien issues, and much more. In addition to her construction practice, Sarah has litigated numerous commercial business disputes, including landlord/tenant matters, intellectual property claims, contract disputes, and others. Sarah has represented clients through trial and appeal in both state and federal courts around the country. She also routinely handles matters involving the negotiation and drafting of agreements related to project development, including design and construction.

Professionals

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