



MIAMI-DADE COUNTY, FLORIDA  
HERBERT S. SAFFIR PERMITTING AND INSPECTION CENTER


Department of Regulatory and Economic Resources  
Board and Code Administration Division

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**MEMO**

**TO: ALL BUILDING OFFICIALS IN MIAMI-DADE COUNTY**

**FROM: Secretary of the Board**   
**Board of Rules and Appeals (BORA)**

**DATE: July 22, 2022**

**SUBJECT: BORA Interpretation - Fee-Simple Townhouse**

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At their regularly scheduled meeting of July 21, 2022, the Board of Rules and Appeals considered an interpretation of Section 8-11(f)(ii)(1) of the Miami-Dade County Code. This section of the Code provides guidance regarding which structures are covered by the Existing Building Recertification Program (formerly the 40-Year Recertification Program).

The section specifically notes exceptions to the inspection requirement for single-family residences, duplexes and minor structures and does not specifically mention townhouses. The Florida Building Code Volumes for Residential and Building define a townhouse as:

*A single-family dwelling, not exceeding 3 stories in height constructed in a group of two or more attached units with property lines separating each unit which extends from foundation to roof and with a yard or public way on not less than two sides*

The Board of Rules and Appeals approved an interpretation clarifying that fee-simple townhouses designed and constructed according to the directions and requirements for townhouses as stated in the FBC are exempt from this program.

Townhouse-like structures, designated as condominiums by the Miami-Dade County Property Appraiser's Office are not exempt and must comply with the inspection requirements of the Existing Building Recertification Program.

If you have any questions on this matter, please contact Lundy Clarke, PE 786-315-2057 (Office or 305-299-6775 (Mobile) or via email at [clarkej@miamidade.gov](mailto:clarkej@miamidade.gov).