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KEEPING FLORIDA COOL: FLORIDA REFRIGERATION AND AIR CONDITIONING CONTRACTORS COMMEND LEGISLATURE ON PASSING BILL TO FIX THE WARRANTY LOOPHOLE THAT LEAVES NEW HOMEOWNERS PAYING FOR HVAC REPAIRS OUT OF POCKET

The legislation ensures that the manufacturer warranty for an HVAC system is tied to the property instead of the homeowner.

Tallahassee, Fla, July 10, 2023 - The Florida Refrigeration and Air Conditioning Contractors Association (FRACCA) commends Governor Ron DeSantis on signing HB 1203 – Registration and Transfers of Heating, Ventilation, and Air-Conditioning System Manufacturer Warranties, which ensures that when a new homeowner purchases a residential property, the heating, ventilation, and air conditioning (HVAC) systems is automatically transferred to the new owner and continues in effect as if the new owner was the original purchaser of the system.

The bill, passed by the Legislature during the 2023 Legislative Session, ensures the warrantor continues to be obligated under the terms of a manufacturer’s warranty and cannot charge the new owner a transfer fee. The transfer of a manufacturer’s warranty does not make the existing warranty term longer but instead allows the subsequent occupants to take over the remaining time of the original purchaser’s agreement. To be eligible, the HVAC system must have been installed by a licensed contractor and documented through a receipt or invoice. With this bill in place, homeowners are discharged from registering a new HVAC system for a manufacturer warranty and transferring the remaining warranty coverage for the HVAC system to a new owner. For homeowners who sold their home before July 1, 2023, existing conditions manufacturer conditions would have applied.

“HB 1203 is a good, consumer-friendly bill. As my brother and I have operated an HVAC business for the past few decades in Pasco County, we see this effect on our customers. By ensuring the manufacturer’s warranty stays with the property, we are ensuring that property owners get the full extent of the warranty they are entitled to,” said Representative Randy Maggard, who sponsored the bill in the House.

“New homeowners purchasing a property with an existing HVAC unit often do so under the assumption that the HVAC system warranty is there as a safety net should any defects occur. These homeowners often find out the hard way that this coverage loophole exists – when their AC is broken in the Florida heat, and they face unexpected out-of-pocket costs,” said Will Barnes, President of FRACCA’s Board of Directors.

“This legislation ensures that as an HVAC warranty is tied to the property, regardless of the occupant, new homeowners will no longer have to worry about purchasing new warranties or being liable for out-of-pocket repair costs for services they thought were covered.”

“This is good public policy and pro-consumer. It will ensure that future homeowners in Florida get the full life of their HVAC units,” said Senator Jim Boyd, who carried the legislation in the Senate.

The Governor signed the Legislation, and took effect on July 1, 2023.

The Florida Refrigeration and Air Conditioning Contractors Association (FRACCA) is a not-for-profit trade organization seeking to promote Florida's heating, ventilation, air conditioning, and refrigeration (HVAC/R) industry. FRACCA comprises nine chapters across the state, bringing together HVAC/R suppliers and contractors of every size to provide educational and training materials, advocacy, and partnership opportunities.

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