

COOLING TOWER: SEVEN QUESTIONS FOR YOUR BOARD

For South Florida condominium and HOA boards | Prepared September 2026

Florida has no cooling tower law: no registry, no required Legionella testing, no inspection schedule and no state certification. The bill that would have created all of it, Senate Bill 1190, died in committee on March 14, 2020. Two more bills died on March 13, 2026. New York, by contrast, tightened its rules again on August 5, 2026 after an Upper East Side outbreak reached 94 cases and 11 deaths with no source tower identified. Because Florida assigns the job to no one, it sits with the association. Work through the questions below at a board or management meeting. Any line you cannot answer is your action item.

THE SEVEN QUESTIONS

ANSWER AT A BOARD MEETING · RECORD THE ANSWERS IN THE MINUTES

- ☐ **1. Do we have a cooling tower or an evaporative condenser, and who confirmed it?**
Get it in writing from someone who walked the roof or the mechanical yard. Note how many units and roughly how old they are. If the answer is no, write that down too and you are finished.
- ☐ **2. Who holds our written water management program, and when was it last updated?**
A program is a document, not a habit. If nobody can produce one, the association does not have one. ASHRAE Standard 188 is the recognized framework.
- ☐ **3. Who treats the water, how often are they on site, and do we receive their reports?**
Ask for the last six service reports. Someone on the board or management should be reading them, not just filing them.
- ☐ **4. When was the tower last tested for Legionella, by what kind of test, and what did the result say?**
Florida sets no interval, so ours is whatever we wrote down. If we never wrote one down, that is the gap. Ask whether the lab is accredited.
- ☐ **5. When was the basin last drained, cleaned and disinfected, and is there a dated record?**
Chemistry does not clean a fouled basin. This is a physical job with a date on it.
- ☐ **6. Who inspects the mechanical parts, and how often?**
Drift eliminators, fill, float and make-up, strainer, fan, drive and bearings. Drift eliminators matter most: their job is to stop water droplets leaving with the air.
- ☐ **7. What is our written plan if a test comes back positive?**
Name the people, not the roles: who is called first, who can shut it down, who cleans it, who notifies the county health department, who tells residents. Decide it now, not during the phone call.

THREE DOCUMENTS TO PUT IN THE ASSOCIATION FILE

REQUEST FROM YOUR VENDORS · KEEP WITH THE RESERVE STUDY

- ☐ **The written water management program**
And the name of who is accountable for running it.
- ☐ **Twelve months of treatment and service reports**
Plus any lab results, filed by date.
- ☐ **A current condition assessment of the tower**
With remaining service life, so the equipment appears in the reserve study as an asset instead of appearing in a special assessment as a surprise.

TWO THINGS WORTH KNOWING BEFORE THE DISCUSSION

CONTEXT FOR THE BOARD · NOT LEGAL ADVICE

- ☐ **Florida has no cooling tower law.**
No registry, no required testing, no inspection schedule, no certification. Senate Bill 1190 died in committee on March 14, 2020; SB 1654 and HB 1377 died on March 13, 2026. Legionellosis is reportable by a doctor the next business day, which is a system for finding sick people, not for protecting a building.
- ☐ **Our residents are in the higher-risk group.**
The CDC lists adults 50 and over, current and former smokers, people with chronic lung disease, and people with weakened immune systems. About 1 in 10 people who get Legionnaires' disease die from it.

Reviewed by: _____ Title: _____ Date: _____