



STATE OF FLORIDA

JAMES UTHMEIER ATTORNEY GENERAL

May 21, 2026

K. Karl Albertson, Jr., President
Tradition Community Association, Inc.
10521 SW Village Center Drive, #203
Port St. Lucie, Florida 34987

Dear Mr. Albertson:

It has been brought to my attention that Tradition Community Association, Inc. (“Association”) has adopted a rule prohibiting firearms in all common areas within its community. The Association’s Board of Directors unanimously resolved that “no person shall carry or possess any firearm or other weapon, whether open or concealed, on any Common Area owned or maintained by the Association.”¹ The new rule applies to “all Owners, tenants, guests, invitees, contractors, and other persons” while on or within common area facilities, including but not limited to “the Town Hall, Town Square, Gazebo, Splash Pad, Tot Lot, Dog Park, parks, trails, stormwater areas, and other portions of the Common Areas.”² This prohibition on lawful firearm possession in public areas violates Florida law.

Section 790.251(4)(e), Florida Statutes, provides that “[n]o ... private employer may terminate the employment of or otherwise discriminate against an employee, or expel a customer or invitee for exercising his or her constitutional right to keep and bear arms.” The statute defines “employer” as “any business that is a ... corporation ... or association ... that has employees.”³ It defines “employee” as (1) “any person who is authorized to carry a concealed weapon or concealed firearm” and (2) “[w]orks for salary, wages, or other remuneration;” “[i]s an independent contractor;” or “[i]s a volunteer, intern, or other similar individual for an employer.”⁴ It defines “invitee” as “any business invitee, including a customer or visitor, who is lawfully on the premises of a public or private employer.”⁵

Under section 790.251(4)(e), the Association, as a registered not-for-profit corporation with employees, is a private employer. Association staff and independent contractors—e.g., the general manager, property manager, assistant property manager, administrative assistant, accounting specialist, Town Hall venue coordinator, and maintenance workers—are all

¹ Tradition Community Association, Inc., *Rule Regarding Carrying of Weapons on Common Areas* (adopted Dec. 5, 2025).

² *Id.*

³ § 790.251(2)(d), Fla. Stat.

⁴ *Id.* at (2)(c).

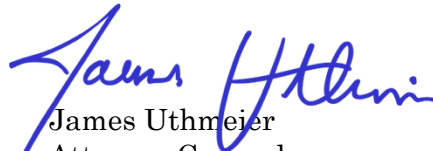
⁵ *Id.* at (2)(e).

employees under the statute and are authorized to carry a concealed firearm. Therefore, the Association’s employees cannot be terminated or discriminated against for exercising their constitutional right to keep and bear arms. Similarly, any person visiting the common areas—residents, potential residents, and guests alike—are invitees under the statute and cannot be expelled for exercising their constitutional right to keep and bear arms.

A homeowners’ association is “not at liberty to adopt arbitrary or capricious rules bearing no relationship to the health, happiness and enjoyment of life of the various unit owners.”⁶ The Association’s firearm resolution infringes upon a fundamental constitutional right and is unenforceable. Please certify to me in writing by June 1, 2026, that the Association will not enforce its Rule Regarding Carrying of Weapons on Common Areas. In the event the Association refuses, my office will take appropriate action to enforce the law.⁷

This is not New York or California. In Florida, the right of the people to keep and bear arms “shall not be infringed.”

Sincerely,



James Uthmeier
Attorney General

⁶ *Hidden Harbour Estates, Inc. v. Norman*, 309 So. 2d 180, 182 (Fla. 4th DCA 1975).

⁷ § 617.0304(2)(c), Fla. Stat. (providing that a corporation’s power to act may be challenged “[i]n a proceeding by the Attorney General, as provided in this act, to dissolve the corporation or in a proceeding by the Attorney General to enjoin the corporation from the transaction of unauthorized business”).