



IMPORTANT INFORMATION

for Florida's Hospitality Industry



ATTENTION: Apartment Owners and Managers

Number: 2001-07

Date: 2001 August 27

SUBJECT: CHANGES TO SECTION 83.49, FLORIDA STATUTES

The Florida Legislature recently enacted legislation that directly impacts all persons renting apartments within the state of Florida. This bill makes several changes in Chapter 83, Florida Statutes (F.S.), also known as the Florida Landlord-Tenant Act, and other related statutes. This bulletin will briefly summarize two important changes.

First, the time period for a landlord to notify a tenant of the intent to withhold any or all of the tenant's deposit has increased to 30 days from the date the tenant vacates the dwelling or the date the lease expires, whichever is later. Such notification must be done by certified mail to the last address the tenant has provided the landlord, and must adhere to the format outlined in Section 83.49, F.S. Failure to adhere to these requirements may result in disciplinary action being taken by the division. If the landlord will not make any claim on the deposit, it must be returned within 15 days (this provision is unchanged).

The second change involves members of the United States Armed Forces who must relocate due to permanent change of station orders, or who are prematurely discharged or released from active duty or who die while on active duty. This change allows early termination of the lease by properly notifying the landlord of the change in status and paying liquidated damages in an amount dependant upon length of residence at the dwelling. The complete text detailing these changes can be viewed under Chapter 2001-179 at:

<http://election.dos.state.fl.us/laws/01laws/indexframe.html>

These changes became effective July 1, 2001, and apply to all tenants vacating after that date. All property managers are encouraged to inform their leasing staff of these changes, and update operating policies and procedures to include these revisions.

For more information, please contact your local district office or your legal counsel.

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Jeb Bush, *Governor*

Division of Hotels and Restaurants

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