

SUBJECT: "Miya's Law" Compliance for Apartments

Bulletin 2023-02

March 22, 2023

Changes to Chapter 509 of the Florida Statutes were approved during the 2022 legislative session. These requirements are collectively known as "Miya's Law" and mandate the following actions.

Effective **January 1, 2023**:

- New regulations require each public lodging establishment licensed as a nontransient apartment or transient apartment to provide proof of compliance with the following requirements upon request during the division's annual inspection:
 - 1) **Background Screenings** - require that each direct employee of the licensee undergo a background screening as a condition of employment. The background screening must be conducted in accordance to section 83.515, Florida Statutes. Section 83.515 requires the background screening to:
 - Be conducted by a consumer reporting agency in accordance with the federal Fair Credit Reporting Act.
 - Include a screening of criminal records and sexual predator and sexual offender registries of all 50 states and the District of Columbia.

Establishments must complete the mandatory form HR 7033 Proof of Compliance with Miya's Law Background Screenings and provide it during the division's annual inspection in order to be in compliance with this requirement.

 - The division's form HR 7033 Proof of Compliance with Miya's Law Background Screenings can be found at:
http://www.myfloridalicense.com/dbpr/HR/forms/documents/dbpr_hr_7033.pdf.
 - 2) **Key Log** – maintain a log accounting for the issuance and return of all keys for each dwelling unit.
 - 3) **Policies and Procedures** – establish policies and procedures for the issuance and return of dwelling unit keys and regulating the storage of, and access to, unissued keys.

Operators may call the Customer Contact Center at 850-487-1395 or contact local District Offices for questions or additional information. Locate your District Office at <http://www.myfloridalicense.com/DBPR/hotels-restaurants/division-offices/>

FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Ron DeSantis, Governor

Division of Hotels and Restaurants

Melanie S. Griffin,
Secretary