

## Committee on Commerce and Tourism

### **CS/SB 566 — Unlawful Detention by a Transient Occupant**

by Judiciary Committee and Senator Young

The bill amends s. 82.045, F.S., relating to the remedy for an unlawful detention by a transient occupant. Under current law, a transient occupant is someone who possesses real property lawfully for a brief length of time, without a lease or title to the property, such as a long-term houseguest. A transient occupant unlawfully detains the property after being directed to leave by the party entitled to possession.

The changes by the bill:

- Revise the factors used to determine whether an individual is considered a transient occupant;
- Establish the circumstances that cause a transient occupancy to terminate;
- Provide for the recovery of the belongings of a former transient occupant once the transient occupancy has terminated; and
- Authorize a former transient occupant to bring a civil action against the party entitled to possession who unreasonably withholds the belongings of the former transient occupant.

If approved by the Governor, these provisions take effect July 1, 2018.

*Vote: Senate 34-0; House 116-0*