

By Representative Futch

1 A bill to be entitled
2 An act relating to mobile home park recreation
3 districts; amending s. 418.304, F.S.; providing
4 alternatives to district boards of trustees for
5 collecting a district assessment and for
6 enforcing a lien for a district assessment;
7 providing penalties; providing for delinquent
8 fees; providing for a claim of lien for
9 delinquent assessments; providing for attorney
10 fees under certain circumstances; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (e) of subsection (4) of section
16 418.304, Florida Statutes, is amended to read:

17 418.304 Powers of the mobile home park recreation
18 district; recreation district tax.--An ordinance creating or
19 amending the charter of a mobile home park recreation district
20 may grant to the recreation district the following powers:

21 (4) To levy and assess a special assessment known as a
22 "recreation district tax" against all improved residential
23 parcels situated within the district for the purpose of
24 providing funds to implement the powers of the district,
25 subject to the following:

26 (e) The district assessment shall be a valid lien upon
27 each improved residential parcel of land so assessed until it
28 has been paid; ~~and it shall be considered a part of the county~~
29 ~~tax, subject to the same penalties, charges, fees, and~~
30 ~~remedies for enforcement and collection as provided by the~~
31 ~~laws of the state for the collection of such taxes.~~ The

1 district board of trustees may collect a district assessment
2 in a single annual installment or in monthly installments
3 equal to 1/12 of the district assessment for the fiscal year.

4 1. If the board of trustees elects to collect the
5 district assessment in a single annual installment, the
6 district assessment shall be considered part of the county tax
7 and shall be subject to the same penalties, charges, fees, and
8 remedies for enforcement and collection provided for the
9 collection of county taxes.

10 2. If the board of trustees elects to collect the
11 district assessment in equal monthly installments, the
12 district assessment shall not be considered part of the county
13 tax and shall not be collected as part of the county tax
14 collection. Each monthly installment shall be billed by the
15 district to the owner of each improved residential parcel at
16 the address of the owner shown on the county tax roll. Each
17 installment shall be due and payable on the first day of each
18 month and shall be delinquent if not paid within one month
19 after its due date. Nothing in this subparagraph shall
20 prevent any owner from paying multiple monthly installments in
21 advance of the due dates of such installments. The district
22 shall be entitled to collect a delinquent fee of not more than
23 \$10 per month or fraction thereof on any delinquent
24 installment. The district may enforce a lien with respect to
25 any delinquent installment. The lien shall be perfected by
26 recording in the public records of the county a claim of lien
27 with respect to any delinquent installment, and the claim of
28 lien shall have a priority as of the date of such recording.
29 The claim of lien shall be recorded no earlier than 30 days
30 after an installment becomes delinquent, and the district
31 shall have the right to foreclose a lien for which a claim has

1 been recorded. The foreclosure proceeding may be brought no
2 sooner than 60 days after recording a claim of lien and may
3 include all amounts owed to the district for installments of
4 assessments and delinquent fees which accrue subsequent to the
5 earliest installment shown on the claim of lien. The
6 foreclosure proceeding shall be brought in the circuit court
7 of the county in which the district is located and in the
8 usual and customary manner for a mortgage foreclosure
9 proceeding. The district may recover reasonable attorney's
10 fees and costs with respect to the recording of any claim of
11 lien and in any foreclosure proceeding on such claim of lien.

12 Section 2. This act shall take effect upon becoming a
13 law.

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15 HOUSE SUMMARY

16 Grants to mobile home park recreation districts the power
17 to collect assessments in either annual installments or
18 monthly installments. Provides that assessments
19 collected in monthly installments are not part of the
20 county tax. Provides methods and procedures for
21 establishing a lien for delinquent monthly assessments.
22 Provides the methods and procedures for perfecting,
23 enforcing, and collecting such liens. See bill for
24 details.
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