

By Senator Dockery

15-746A-03

See HB 1065

1 A bill to be entitled
2 An act relating to mobile home owners; amending
3 s. 48.183, F.S.; providing for service of
4 process in an action for possession of
5 residential premises; creating s. 320.08015,
6 F.S.; providing for a license tax surcharge for
7 deposit in the Florida Mobile Home Relocation
8 Trust Fund; amending s. 320.081, F.S.;
9 conforming to the act; amending s. 715.101,
10 F.S.; including a reference to chapter 723,
11 F.S., in the Disposition of Personal Property
12 Landlord and Tenant Act; amending s. 723.007,
13 F.S.; providing a surcharge under the Florida
14 Mobile Home Act on certain mobile home lots for
15 deposit in the Florida Mobile Home Relocation
16 Trust Fund; amending s. 723.023, F.S.;
17 authorizing mobile home park owners to charge a
18 fee for the cost of cleanup or repair of a
19 mobile home or lot under certain circumstances;
20 amending s. 723.037, F.S.; prohibiting the
21 filing of certain actions in circuit court in
22 the event that a request for mediation has not
23 been filed; amending s. 723.041, F.S.;
24 providing for the placement of any size used or
25 new mobile home on a mobile home lot under
26 certain circumstances; amending s. 723.061,
27 F.S.; revising language to include reference to
28 the eviction of a mobile home tenant or a
29 mobile home occupant; amending s. 723.0611,
30 F.S.; providing that persons who receive
31 compensation from the Florida Mobile Home

1 Relocation Corporation shall not have a claim
2 or cause of action against the corporation or
3 the park owner under certain circumstances;
4 amending s. 723.06115, F.S.; revising language
5 with respect to the Florida Mobile Home
6 Relocation Trust Fund; providing reference to
7 the deposit of certain surcharges into the
8 trust fund; amending s. 723.06116, F.S.;
9 increasing certain fees; providing an
10 additional situation in which a mobile home
11 park owner is not required to make certain
12 payments and is not entitled to certain
13 compensation from the Florida Mobile Home
14 Relocation Corporation; amending s. 723.0612,
15 F.S.; revising language with respect to
16 compensation from the Florida Mobile Home
17 Relocation Corporation; providing an effective
18 date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Subsection (1) of section 48.183, Florida
23 Statutes, is amended to read:

24 48.183 Service of process in action for possession of
25 premises.--

26 (1) In an action for possession of any residential
27 premises, including those under chapters 83, 723, and 513, or
28 nonresidential premises, if the tenant cannot be found in the
29 county or there is no person 15 years of age or older residing
30 at the tenant's usual place of abode in the county after at
31 least two attempts to obtain service as provided above in this

1 subsection, summons may be served by attaching a copy to a
2 conspicuous place on the property described in the complaint
3 or summons. The minimum time delay between the two attempts to
4 obtain service shall be 6 hours. Nothing herein shall be
5 construed as prohibiting service of process on a tenant as is
6 otherwise provided on defendants in civil cases.

7 Section 2. Section 320.08015, Florida Statutes, is
8 created to read:

9 320.08015 License tax surcharge.--There is levied on
10 each license tax imposed under s. 320.08(11), a surcharge in
11 the amount of \$1, which shall be collected in the same manner
12 as the license tax and shall be deposited in the Florida
13 Mobile Home Relocation Trust Fund as created in s. 723.06115.
14 Collection of the surcharge shall begin during the first year
15 after this section takes effect. This surcharge may not be
16 imposed during the next year if the balance in the Florida
17 Mobile Home Relocation Trust Fund exceeds \$10 million. The
18 surcharge shall be reinstated in the next year after the
19 balance in the Florida Mobile Home Relocation Trust Fund drops
20 below \$6 million.

21 Section 3. Subsections (3), (4), and (5) of section
22 320.081, Florida Statutes, are amended to read:

23 320.081 Collection and distribution of annual license
24 tax imposed on the following type units.--

25 (3) The owner shall make application for such sticker
26 in the manner provided in s. 320.02, and the tax collectors in
27 the several counties of the state shall collect the license
28 taxes imposed by s. 320.08(10) and (11) and the license tax
29 surcharge imposed by s. 320.08015 in the same manner and under
30 the same conditions and requirements as provided in s. 320.03.
31

1 (4) Each tax collector shall make prompt remittance of
2 all moneys collected by him or her to the department at such
3 times and in such manner as provided by law. Upon receipt of
4 the license taxes collected from the tax collectors of the
5 several counties, the department shall pay into the State
6 Treasury for deposit in the General Revenue Fund the sum of
7 \$1.50 on each such sticker issued, and shall pay into the
8 State Treasury for deposit in the Florida Mobile Home
9 Relocation Trust Fund \$1 on each sticker issued as provided in
10 s. 320.08015. The balance remaining shall be paid into a trust
11 fund in the State Treasury designated "License Tax Collection
12 Trust Fund," and the moneys so deposited shall be paid to the
13 respective counties and cities wherein such units governed by
14 the provisions of this section are located, regardless of
15 where the license taxes are collected, in the manner
16 hereinafter provided.

17 (5) The department shall keep records showing the
18 total number of stickers issued to each type unit governed by
19 this section, the total amount of license taxes collected, and
20 the county or city wherein each such unit is located and shall
21 from month to month certify to the Chief Financial Officer
22 ~~Comptroller~~ the amount derived from license taxes in each
23 county and each city within the county. Such amount, less the
24 amount of \$1.50 collected on each license and the \$1 license
25 tax surcharge imposed by s. 320.08015, shall be paid to the
26 counties and cities within the counties wherein the unit or
27 units are located as follows: one-half to the district school
28 board and the remainder either to the board of county
29 commissioners, for units which are located within the
30 unincorporated areas of the county, or to any city within such
31 county, for units which are located within its corporate

1 limits. Payment shall be by warrant drawn by the Chief
2 Financial Officer ~~Comptroller~~ upon the treasury, which amount
3 is hereby appropriated monthly out of the License Tax
4 Collection Trust Fund.

5 Section 4. Subsection (1) of section 715.101, Florida
6 Statutes, is amended to read:

7 715.101 Application of ss. 715.10-715.111.--

8 (1) Sections 715.10-715.111 apply to all tenancies to
9 which chapter 723 or part I or part II of chapter 83 are
10 applicable.

11 Section 5. Section 723.007, Florida Statutes, is
12 amended to read:

13 723.007 Annual fees; surchage.--

14 (1) Each mobile home park owner shall pay to the
15 division, on or before October 1 of each year, an annual fee
16 of \$4 for each mobile home lot within a mobile home park which
17 he or she owns. ~~The division may, after December 31, 1993, by~~
18 ~~rule, increase the amount of the annual fee to an amount not~~
19 ~~to exceed \$5 for each mobile home lot to fund operation of the~~
20 ~~division.~~ If the fee is not paid by December 31, the mobile
21 home park owner shall be assessed a penalty of 10 percent of
22 the amount due, and he or she shall not have standing to
23 maintain or defend any action in the courts of this state
24 until the amount due, plus any penalty, is paid.

25 (2) There is levied on each annual fee imposed under
26 subsection (1) a surcharge in the amount of \$1 upon each
27 mobile home lot that is offered for lease within a mobile home
28 park owned by a mobile home park owner. The surcharge shall
29 be collected in the same manner as the annual fee and shall be
30 deposited in the Florida Mobile Home Relocation Trust
31 Fund. Collection of the surcharge shall begin during the

1 first year after this subsection takes effect. This surcharge
2 may not be imposed during the next year if the balance in the
3 trust fund exceeds \$10 million. The surcharge shall be
4 reinstated in the next year after the balance in the trust
5 fund falls below \$6 million. The surcharge imposed by this
6 subsection may not be imposed as a separate charge regardless
7 of any disclosure in the prospectus.

8 Section 6. Section 723.023, Florida Statutes, is
9 amended to read:

10 723.023 Mobile home owner's general obligations.--

11 (1) A mobile home owner shall at all times:

12 (a)~~(1)~~ Comply with all obligations imposed on mobile
13 home owners by applicable provisions of building, housing, and
14 health codes.

15 (b)~~(2)~~ Keep the mobile home lot which he or she
16 occupies clean and sanitary.

17 (c)~~(3)~~ Comply with properly promulgated park rules and
18 regulations and require other persons on the premises with his
19 or her consent to comply therewith and to conduct themselves
20 in a manner that does not unreasonably disturb other residents
21 of the park or constitute a breach of the peace.

22 (2) Notwithstanding any other provision of this
23 chapter, a park owner may charge a fee for the cost of cleanup
24 or repair of the exterior of the mobile home, the
25 appurtenances to the mobile home, or any improvements to the
26 mobile home lot, so long as such obligation to maintain the
27 exterior of the mobile home, the appurtenances to the mobile
28 home, or the mobile home lot is an obligation imposed upon the
29 mobile home owners by a promulgated rule or regulation, the
30 rental agreement, or the prospectus, and notice has been
31 mailed to the mobile home owner at least 14 days prior to

1 cleanup or repair of the exterior of the mobile home, the
2 appurtenances to the mobile home, or the mobile home lot. The
3 park owner's remedy for the home owner's failure to pay such a
4 charge shall be by an action in small claims court.

5 Section 7. Subsection (6) of section 723.037, Florida
6 Statutes, is amended to read:

7 723.037 Lot rental increases; reduction in services or
8 utilities; change in rules and regulations; mediation.--

9 (6) If a party requests mediation and the opposing
10 party refuses to agree to mediate upon proper request, the
11 party refusing to mediate shall not be entitled to attorney's
12 fees in any action relating to a dispute described in this
13 section. In the event that mediation of a dispute concerning
14 any matters addressed in this section was not requested in
15 accordance with this section, neither party shall have the
16 right to file an action in circuit court, as provided in s.
17 723.0381, on such matters. This section is intended to
18 require the resolution of disputes by mediation and to require
19 that a timely request for mediation be made by any party who
20 is disputing any of the matters addressed in this section.

21 Section 8. Section 723.041, Florida Statutes, is
22 amended to read:

23 723.041 Entrance fees; refunds; exit fees prohibited;
24 replacement homes.--

25 (1)(a) Entrance fees on new mobile home placements
26 shall be specifically set forth in the prospectus or offering
27 circular. Any such fee shall be clearly identified in writing
28 at the time that the rental agreement is signed or otherwise
29 concluded.

30 (b) The failure on the part of a mobile home park
31 owner or developer to disclose fully all fees, charges, or

1 assessments shall prevent the park owner or operator from
2 collecting such fees, charges, or assessments; and a refusal
3 by the mobile home owner to pay any undisclosed charge shall
4 not be used by the park owner or developer as a cause for
5 eviction in any court of law.

6 (c) It is unlawful for any mobile home park owner or
7 developer to make any agreement, written or oral, whereby the
8 fees authorized in this subsection will be split between such
9 mobile home park owner or developer and any mobile home
10 dealer, unless otherwise provided for in this chapter. Any
11 person who violates any of the provisions of this paragraph is
12 guilty of a misdemeanor of the second degree, punishable as
13 provided in s. 775.082 or s. 775.083.

14 (d) With respect to the first rental agreement for a
15 mobile home lot in a developing park, the park has the right
16 to condition such initial rental agreement upon the
17 prospective resident's purchasing the mobile home from a
18 dealer chosen by the park developer. A park developer may
19 also buy down rentals on the initial rental agreement of a
20 mobile home lot, and such buy-downs may be split between the
21 owner of a developing park and the dealer.

22 (e) Whenever an entrance fee is charged by a mobile
23 home park owner or developer for the entrance of a mobile home
24 into the park and such mobile home is moved from the park
25 before 2 years have passed from the date on which the fee was
26 charged, the fee shall be prorated and a portion returned as
27 follows:

28 1. The entrance fee shall be refunded at the rate of
29 one twenty-fourth of such fee for each month short of 2 years
30 that the mobile home owner maintained his or her mobile home
31 within the park.

1 2. The entrance fee shall be refunded within 15 days
2 after the mobile home has been physically moved from the park.
3
4 No new entrance fee may be charged for a move within the same
5 park. This paragraph does not apply in instances in which the
6 mobile home owner is evicted on the ground of nonpayment of
7 rent; violation of a federal, state, or local ordinance; or
8 violation of a properly promulgated park rule or regulation or
9 leaves before the expiration date of his or her rental
10 agreement. However, the sums due to the park by the mobile
11 home owner may be offset against the balance due on the
12 entrance fee.

13 (2) No person shall be required by a mobile home park
14 owner to pay an exit fee upon termination of his or her
15 residency.

16 (3) No entrance fee may be charged by the park owner
17 to the purchaser of a mobile home situated in the park that is
18 offered for sale by a resident of the park.

19 (4) Except as expressly preempted by the requirements
20 of the Department of Highway Safety and Motor Vehicles, a
21 mobile home owner or the park owner shall be authorized
22 pursuant to this section to site any size new or used mobile
23 home and appurtenances on a mobile home lot in accordance with
24 the lot sizes, separation and setback distances, and other
25 requirements in effect at the time of the approval of the
26 mobile home park.

27 Section 9. Subsections (1), (4), and (5) of section
28 723.061, Florida Statutes, are amended to read:

29 723.061 Eviction; grounds, proceedings.--

30 (1) A mobile home park owner may evict a mobile home
31 owner, a mobile home tenant, a mobile home occupant, or a

1 mobile home only on one or more of the grounds provided in
2 this section.

3 (a) Nonpayment of lot rental amount. If a mobile home
4 owner or tenant, whichever is responsible, fails to pay the
5 lot rental amount when due and if the default continues for 5
6 days after delivery of a written demand by the mobile home
7 park owner for payment of the lot rental amount, the park
8 owner may terminate the tenancy. However, if the mobile home
9 owner or tenant, whichever is responsible, pays the lot rental
10 amount due, including any late charges, court costs, and
11 attorney's fees, the court may, for good cause, deny the order
12 of eviction, provided such nonpayment has not occurred more
13 than twice.

14 (b) Conviction of a violation of a federal or state
15 law or local ordinance, which violation may be deemed
16 detrimental to the health, safety, or welfare of other
17 residents of the mobile home park. The mobile home owner or
18 mobile home tenant will have 7 days from the date that notice
19 to vacate is delivered to vacate the premises. This paragraph
20 shall be grounds to deny an initial tenancy of a purchaser of
21 a home pursuant to s. 723.061(1)(e) or to evict an unapproved
22 occupant of a home.

23 (c) Violation of a park rule or regulation, the rental
24 agreement, or this chapter.

25 1. For the first violation of any properly promulgated
26 rule or regulation, rental agreement provision, or this
27 chapter which is found by any court having jurisdiction
28 thereof to have been an act which endangered the life, health,
29 safety, or property of the park residents or employees or the
30 peaceful enjoyment of the mobile home park by its residents,
31 the mobile home park owner may terminate the rental agreement,

1 and the mobile home owner or tenant will have 7 days from the
2 date that the notice is delivered to vacate the premises.

3 2. For a second violation of the same properly
4 promulgated rule or regulation, rental agreement provision, or
5 this chapter within 12 months, the mobile home park owner may
6 terminate the tenancy if she or he has given the mobile home
7 owner or tenant written notice within 30 days of the first
8 violation, which notice specified the actions of the mobile
9 home owner or tenant which caused the violation and gave the
10 mobile home owner or tenant 7 days to correct the
11 noncompliance. The mobile home owner or tenant must have
12 received written notice of the ground upon which she or he is
13 to be evicted at least 30 days prior to the date on which she
14 or he is required to vacate. A second violation of a properly
15 promulgated rule or regulation, rental agreement provision, or
16 this chapter within 12 months of the first violation is
17 unequivocally a ground for eviction, and it is not a defense
18 to any eviction proceeding that a violation has been cured
19 after the second violation. Violation of a rule or regulation,
20 rental agreement provision, or this chapter after the passage
21 of 1 year from the first violation of the same rule or
22 regulation, rental agreement provision, or this chapter does
23 not constitute a ground for eviction under this section.

24
25 No properly promulgated rule or regulation may be arbitrarily
26 applied and used as a ground for eviction.

27 (d) Change in use of the land comprising the mobile
28 home park, or the portion thereof from which mobile homes are
29 to be evicted, from mobile home lot rentals to some other use,
30 provided all tenants affected are given at least 6 months'
31 notice of the projected change of use and of their need to

1 secure other accommodations. The park owner may not give a
2 notice of increase in lot rental amount within 90 days before
3 giving notice of a change in use.

4 (e) Failure of the purchaser, prospective tenant, or
5 occupant of a mobile home situated in the mobile home park to
6 be qualified as, and to obtain approval to become, a tenant or
7 occupant of the home, if such approval is required by a
8 properly promulgated rule. If a purchaser or prospective
9 tenant of a mobile home situated in the mobile home park
10 occupies the mobile home before approval is granted, the
11 mobile home owner or mobile home tenant shall have 7 days from
12 the date the notice of the failure to be approved for tenancy
13 is delivered to vacate the premises.

14 (4) A mobile home park owner applying for the removal
15 of a mobile home owner, tenant, occupant, or a mobile home, ~~or~~
16 ~~both~~, shall file, in the county court in the county where the
17 mobile home lot is situated, a complaint describing the lot
18 and stating the facts that authorize the removal of the mobile
19 home owner, tenant, occupant, or ~~and~~ the mobile home. The park
20 owner is entitled to the summary procedure provided in s.
21 51.011, and the court shall advance the cause on the calendar.

22 (5) Any notice required by this section must be in
23 writing, and must be posted on the premises and sent to the
24 mobile home owner, tenant, or occupant, as appropriate, by
25 certified or registered mail, return receipt requested,
26 addressed to the mobile home owner, tenant, or occupant, as
27 appropriate, at her or his last known address. Delivery of the
28 mailed notice shall be deemed given 5 days after the date of
29 postmark.

30 Section 10. Paragraph (e) is added to subsection (2)
31 of section 723.0611, Florida Statutes, to read:

1 723.0611 Florida Mobile Home Relocation Corporation.--

2 (2)

3 (e) Any person who receives compensation from the
4 corporation or the park owner pursuant to ss.

5 723.061-723.0612 shall not have a cause of action against the
6 corporation or the park owner for any claim arising under the
7 rights, duties, and obligations of the corporation or park
8 owner in ss. 723.061-723.0612.

9 Section 11. Subsection (1) of section 723.06115,
10 Florida Statutes, is amended to read:

11 723.06115 Florida Mobile Home Relocation Trust Fund.--

12 (1) There is established within the Department of
13 Business and Professional Regulation the Florida Mobile Home
14 Relocation Trust Fund, to be used by the department for the
15 purpose of funding the administration and operations of the
16 Florida Mobile Home Relocation Corporation. All interest
17 earned from the investment or deposit of moneys in the trust
18 fund shall be deposited in the trust fund. The trust fund
19 shall be funded from the moneys collected by the department
20 under s. 723.06116 from mobile home park owners who change the
21 use of their mobile home parks; the surcharge collected by the
22 department under s. 723.007(2); the surcharge collected by the
23 Department of Highway Safety and Motor Vehicles;and by other
24 appropriated funds.

25 Section 12. Subsection (1) of section 723.06116,
26 Florida Statutes, is amended and paragraph (d) is added to
27 subsection (2) of said section, to read:

28 723.06116 Payments to the Florida Mobile Home
29 Relocation Corporation.--

30 (1) If a mobile home owner is required to move due to
31 a change in use of the land comprising a mobile home park as

1 set forth in s. 723.061(1)(d), the mobile home park owner
2 shall, upon such change in use, pay to the Florida Mobile Home
3 Relocation Corporation for deposit in the Florida Mobile Home
4 Relocation Trust Fund ~~\$2,750~~~~\$2,000~~ for each single-section
5 mobile home and ~~\$3,750~~~~\$2,500~~ for each multisection mobile
6 home for which a mobile home owner has made application for
7 payment of moving expenses. The mobile home park shall make
8 the payments required by this section and by s. 723.0612(7) to
9 the corporation within 30 days after receipt from the
10 corporation of the invoice for payment.

11 (2) A mobile home park owner is not required to make
12 the payment prescribed in subsection (1), nor is the mobile
13 home owner entitled to compensation under s. 723.0612(1),
14 when:

15 (d) The mobile home owner has a pending eviction
16 action for nonpayment of lot rental amount pursuant to s.
17 723.061(1)(a) which was filed against him or her prior to the
18 mailing date of the notice of change in use of the mobile home
19 park given pursuant to s. 723.061(1)(d).

20 Section 13. Section 723.0612, Florida Statutes, is
21 amended to read:

22 723.0612 Change in use; relocation expenses; payments
23 by park owner.--

24 (1) If a mobile home owner is required to move due to
25 a change in use of the land comprising the mobile home park as
26 set forth in s. 723.061(1)(d) and complies with the
27 requirements of this section, the mobile home owner is
28 entitled to payment from the Florida Mobile Home Relocation
29 Corporation of:

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1 (a) The amount of actual moving expenses of relocating
2 the mobile home to a new location within a 50-mile radius of
3 the vacated park, or

4 (b) The amount of ~~\$3,000~~\$5,000 for a single-section
5 mobile home or ~~\$6,000~~\$10,000 for a multisection mobile home,
6 whichever is less. Moving expenses include the cost of taking
7 down, moving, and setting up the mobile home in a new
8 location.

9 (2) A mobile home owner shall not be entitled to
10 compensation under subsection (1) when:

11 (a) The park owner moves a mobile home owner to
12 another space in the mobile home park or to another mobile
13 home park at the park owner's expense;

14 (b) A mobile home owner is vacating the premises and
15 has informed the park owner or manager before notice of the
16 change in use has been given; ~~or~~

17 (c) A mobile home owner abandons the mobile home as
18 set forth in subsection (7); or

19 (d) The mobile home owner has a pending eviction
20 action for nonpayment of lot rental amount pursuant to s.
21 723.061(1)(a) which was filed against him or her prior to the
22 mailing date of the notice of change in use of the mobile home
23 park given pursuant to s. 723.061(1)(d).

24 (3) Except as provided in subsection (7), in order to
25 obtain payment from the Florida Mobile Home Relocation
26 Corporation, the mobile home owner shall submit to the
27 corporation, with a copy to the park owner, an application for
28 payment which includes:

29 (a) A copy of the notice of eviction due to change in
30 use; and

31

1 (b) A contract with a moving or towing contractor for
2 the moving expenses for the mobile home.

3 (4) The Florida Mobile Home Relocation Corporation
4 must approve payment within 45 days after receipt of the
5 information set forth in subsection (3), or payment is deemed
6 approved. A copy of the approval must be forwarded to the park
7 owner with an invoice for payment. Upon approval, the
8 corporation shall issue a voucher in the amount of the
9 contract price for relocating the mobile home. The moving
10 contractor may redeem the voucher from the corporation
11 following completion of the relocation and upon approval of
12 the relocation by the mobile home owner.

13 (5) Actions of the Florida Mobile Home Relocation
14 Corporation under this section are not subject to the
15 provisions of chapter 120 but are reviewable only by writ of
16 certiorari in the circuit court in the county in which the
17 claimant resides in the manner and within the time provided by
18 the Florida Rules of Appellate Procedure.

19 (6) This section does not apply to any proceeding in
20 eminent domain under chapter 73 or chapter 74.

21 (7) In lieu of collecting payment from the Florida
22 Mobile Home Relocation Corporation as set forth in subsection
23 (1), a mobile home owner may abandon the mobile home in the
24 mobile home park and collect \$1,375 for a single section and
25 \$2,750 for a multi-section ~~an amount equal to one-fourth of~~
26 ~~the maximum allowable moving expenses~~ from the corporation as
27 long as the mobile home owner delivers to the park owner the
28 current title to the mobile home duly endorsed by the owner of
29 record and valid releases of all liens shown on the title. If
30 a mobile home owner chooses this option, the park owner shall
31 make payment to the corporation in an amount equal to

1 one-fourth of the maximum allowable moving expenses. The
2 mobile home owner's application for funds under this
3 subsection shall require the submission of a document signed
4 by the park owner stating that the home has been abandoned
5 under this subsection and that the park owner agrees to make
6 payment to the corporation in the amount provided to the home
7 owner under this section. However, in the event that the
8 required documents are not submitted with the application, the
9 corporation may consider the facts and circumstances
10 surrounding the abandonment of the home to determine whether
11 the mobile home owner is entitled to payment pursuant to this
12 section.

13 (8) The Florida Mobile Home Relocation Corporation
14 shall not be liable to any person for recovery if funds are
15 insufficient to pay the amounts claimed. In any such event,
16 the corporation shall keep a record of the time and date of
17 its approval of payment to a claimant. If sufficient funds
18 become available, the corporation shall pay the claimant whose
19 unpaid claim is the earliest by time and date of approval.

20 (9) Any person whose application for funding pursuant
21 to subsection (1) or subsection (7) is approved for payment by
22 the corporation shall be barred from asserting any claim or
23 cause of action under this chapter directly relating to or
24 arising out of the change in use of the mobile home park
25 against the corporation, the park owner, or the park owner's
26 successors in interest. No application for funding pursuant
27 to subsection (1) or subsection (7) shall be approved by the
28 corporation if the applicant has either filed a claim or cause
29 of action, is actively pursuing a claim or cause of action, or
30 has a judgment against the corporation, the park owner, or the
31 park owner's successors in interest under this chapter

1 directly relating to or arising out of the change in use of
2 the mobile home park, unless such claim or cause of action is
3 dismissed with prejudice.

4 (10)~~(9)~~ It is unlawful for any person or his or her
5 agent to file any notice, statement, or other document
6 required under this section which is false or contains any
7 material misstatement of fact. Any person who violates this
8 subsection commits a misdemeanor of the second degree,
9 punishable as provided in s. 775.082 or s. 775.083.

10 Section 14. This act shall take effect upon becoming a
11 law.

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