

Bill No. SB 482

Amendment No. 2 Barcode 065042

CHAMBER ACTION

Senate

House

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The Committee on Judiciary recommended the following amendment
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Senate Amendment (with title amendment)

On page 2, line 28,

insert:

Section 2. Section 83.67, Florida Statutes, is amended
to read:

83.67 Prohibited practices.--

(1) No landlord of any dwelling unit governed by this
part shall cause, directly or indirectly, the termination or
interruption of any utility service furnished the tenant,
including, but not limited to, water, heat, light,
electricity, gas, elevator, garbage collection, or
refrigeration, whether or not the utility service is under the
control of, or payment is made by, the landlord.

(2) No landlord of any dwelling unit governed by this
part shall prevent the tenant from gaining reasonable access
to the dwelling unit by any means, including, but not limited
to, changing the locks or using any bootlock or similar

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1 device.

2 (3) No landlord of any dwelling unit governed by this
3 part shall discriminate against a member of the United States
4 Armed Forces in offering a dwelling unit for rent or in any of
5 the term of the rental agreement.

6 ~~(4)(3)~~ No landlord of any dwelling unit governed by
7 this part shall remove the outside doors, locks, roof, walls,
8 or windows of the unit except for purposes of maintenance,
9 repair, or replacement; nor shall the landlord remove the
10 tenant's personal property from the dwelling unit unless said
11 action is taken after surrender, abandonment, or a lawful
12 eviction. If provided in the rental agreement or a written
13 agreement separate from the rental agreement, upon surrender
14 or abandonment by the tenant, the landlord is not required to
15 comply with s. 715.104 and is not liable or responsible for
16 storage or disposition of the tenant's personal property; if
17 provided in the rental agreement there must be printed or
18 clearly stamped on such rental agreement a legend in
19 substantially the following form:

20
21 BY SIGNING THIS RENTAL AGREEMENT THE TENANT AGREES THAT UPON
22 SURRENDER OR ABANDONMENT, AS DEFINED BY CHAPTER 83, FLORIDA
23 STATUTES, THE LANDLORD SHALL NOT BE LIABLE OR RESPONSIBLE FOR
24 STORAGE OR DISPOSITION OF THE TENANT'S PERSONAL PROPERTY.

25
26 For the purposes of this section, abandonment shall be as set
27 forth in s. 83.59(3)(c).

28 ~~(5)(4)~~ A landlord who violates the provisions of this
29 section shall be liable to the tenant for actual and
30 consequential damages or 3 months' rent, whichever is greater,
31 and costs, including attorney's fees. Subsequent or repeated

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1 | violations which are not contemporaneous with the initial
2 | violation shall be subject to separate awards of damages.

3 | ~~(6)(5)~~ A violation of this section shall constitute
4 | irreparable harm for the purposes of injunctive relief.

5 | ~~(7)(6)~~ The remedies provided by this section are not
6 | exclusive and shall not preclude the tenant from pursuing any
7 | other remedy at law or equity which the tenant may have.

8 |

9 | (Redesignate subsequent sections.)

10 |

11 |

12 | ===== T I T L E A M E N D M E N T =====

13 | And the title is amended as follows:

14 | On page 1, lines 2-8, delete those lines

15 |

16 | and insert:

17 | An act relating to rental agreements by members
18 | of the United States Armed Forces; amending s.
19 | 83.682, F.S.; removing provisions requiring the
20 | payment of liquidated damages to the landlord
21 | under certain circumstances upon termination of
22 | a rental agreement; amending s. 83.67, F.S.;
23 | prohibiting a landlord from discriminating
24 | against a member of the United States Armed
25 | Forces in offering a dwelling unit for rent;
26 | providing an effective date.

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