

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Stargel offered the following:

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3 **Amendment (with title amendment)**

4 Remove lines 56-70 and insert:

5 (d)1. If provided for in the rental agreement, recover
6 liquidated damages upon the breach or charge the tenant a fee
7 for early termination of the rental agreement upon the tenant's
8 giving the landlord notice as provided for in the rental
9 agreement. The landlord shall be entitled to both liquidated
10 damages and an early termination fee, provided the combined
11 total for liquidated damages and the early termination fee does
12 not exceed an amount equal to 2 months' rent. The landlord shall
13 treat such a rental agreement as terminated and charge the
14 tenant liquidated damages or the early termination fee as
15 specified in the rental agreement. In such event, the remedies
16 set forth in paragraphs (a), (b), and (c) are not available to
17 the landlord. This subparagraph shall not apply when the breach

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18 is failure to give notice at the end of the rental agreement as
19 provided in s. 83.575.

20 2. The tenant shall indicate acceptance of an early
21 termination fee or liquidated damages provision in the rental
22 agreement. Acceptance for purposes of this subparagraph shall
23 include, but not be limited to, the tenant's placing his or her
24 initials on the provision or otherwise indicating his or her
25 agreement with the provision. If acceptance is not indicated,
26 the remedies in paragraph (a), paragraph (b), or paragraph (c)
27 apply.

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29 ===== T I T L E A M E N D M E N T =====

30 Remove line 12 and insert:

31 the combined total damages and fee; requiring the tenant to
32 indicate acceptance of an early termination fee or liquidated
33 damaged provision in the rental agreement; specifying liability