

1 A bill to be entitled

2 An act relating to the mobile home relocation corporation;
3 amending s. 723.061, F.S.; providing notice requirements
4 for certain mobile home lot tenants regarding entitlement
5 to compensation from the Florida Mobile Home Relocation
6 Trust Fund; amending s. 723.06116, F.S.; providing for
7 late fees if a mobile home park owner does not make
8 payments to the Florida Mobile Home Relocation Corporation
9 within the required time period; authorizing the
10 corporation to file and maintain certain actions to
11 collect payments in Leon County; amending s. 723.0612,
12 F.S.; prohibiting approval of certain applications for
13 funding submitted by persons who have settled certain
14 claims or causes of action; providing certain time periods
15 within which an application for funding for relocation
16 expenses must be submitted to the corporation; providing
17 an effective date.

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

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21 Section 1. Paragraph (d) of subsection (1) of section
22 723.061, Florida Statutes, is amended to read:

23 723.061 Eviction; grounds, proceedings.--

24 (1) A mobile home park owner may evict a mobile home
25 owner, a mobile home tenant, a mobile home occupant, or a mobile
26 home only on one or more of the grounds provided in this
27 section.

28 (d) Change in use of the land comprising the mobile home

29 | park, or the portion thereof from which mobile homes are to be
 30 | evicted, from mobile home lot rentals to some other use,
 31 | provided all tenants affected are given at least 6 months'
 32 | notice of the projected change of use and of their need to
 33 | secure other accommodations. The notice shall include in a font
 34 | no smaller than the body of the notice: YOU MAY BE ENTITLED TO
 35 | COMPENSATION FROM THE FLORIDA MOBILE HOME RELOCATION TRUST FUND,
 36 | ADMINISTERED BY THE FLORIDA MOBILE HOME RELOCATION CORPORATION
 37 | (FMHRC). FMHRC CONTACT INFORMATION IS AVAILABLE FROM THE FLORIDA
 38 | DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION. The park
 39 | owner may not give a notice of increase in lot rental amount
 40 | within 90 days before giving notice of a change in use.

41 | Section 2. Subsection (1) of section 723.06116, Florida
 42 | Statutes, is amended, and subsection (4) is added to that
 43 | section, to read:

44 | 723.06116 Payments to the Florida Mobile Home Relocation
 45 | Corporation.--

46 | (1) If a mobile home owner is required to move due to a
 47 | change in use of the land comprising a mobile home park as set
 48 | forth in s. 723.061(1)(d), the mobile home park owner shall,
 49 | upon such change in use, pay to the Florida Mobile Home
 50 | Relocation Corporation for deposit in the Florida Mobile Home
 51 | Relocation Trust Fund \$2,750 for each single-section mobile home
 52 | and \$3,750 for each multisection mobile home for which a mobile
 53 | home owner has made application for payment of moving expenses.
 54 | The mobile home park owner shall make the payments required by
 55 | this section and by s. 723.0612(7) to the corporation within 30
 56 | days after receipt from the corporation of the invoice for

57 payment. Failure to make such payment within the required time
 58 period shall result in a late fee being imposed.

59 (a) If payment is not submitted within 30 days after
 60 receipt of the invoice, a 10-percent late fee shall be assessed.

61 (b) If payment is not submitted within 60 days after
 62 receipt of the invoice, a 15-percent late fee shall be assessed.

63 (c) If payment is not submitted within 90 days after
 64 receipt of the invoice, a 20-percent late fee shall be assessed.

65 (d) Any payment received 120 days or more after receipt of
 66 the invoice shall include a 25-percent late fee.

67 (4) In any action brought by the corporation to collect
 68 payments assessed under this chapter, the corporation may file
 69 and maintain such action in Leon County. If the corporation is a
 70 party in any other action, venue for such action shall be in
 71 Leon County.

72 Section 3. Subsection (9) of section 723.0612, Florida
 73 Statutes, is amended, and subsection (12) is added to that
 74 section, to read:

75 723.0612 Change in use; relocation expenses; payments by
 76 park owner.--

77 (9) Any person whose application for funding pursuant to
 78 subsection (1) or subsection (7) is approved for payment by the
 79 corporation shall be barred from asserting any claim or cause of
 80 action under this chapter directly relating to or arising out of
 81 the change in use of the mobile home park against the
 82 corporation, the park owner, or the park owner's successors in
 83 interest. No application for funding pursuant to subsection (1)
 84 or subsection (7) shall be approved by the corporation if the

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85 applicant has ~~either~~ filed a claim or cause of action, is
86 actively pursuing a claim or cause of action, has settled a
87 claim or cause of action, or has a judgment against the
88 corporation, the park owner, or the park owner's successors in
89 interest under this chapter directly relating to or arising out
90 of the change in use of the mobile home park, unless such claim
91 or cause of action is dismissed with prejudice.

92 (12) An application to the corporation for compensation
93 under subsection (1) or subsection (7) must be received within 1
94 year after the expiration of the eviction period as established
95 in the notice required under s. 723.061(1)(d). If the applicant
96 files a claim or cause of action that disqualifies the applicant
97 under subsection (9) and the claim is subsequently dismissed,
98 the application must be received within 6 months following
99 filing of the dismissal with prejudice as required under
100 subsection (9). However, such an applicant must apply within 2
101 years after the expiration of the eviction period as established
102 in the notice required under s. 723.061(1)(d).

103 Section 4. This act shall take effect upon becoming a law.