

ENROLLED  
CS/HB 259

2007 Legislature

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.

18  
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

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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

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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.