

HB5

2007

1 A bill to be entitled
 2 An act relating to residential tenancies; amending s.
 3 83.50, F.S.; requiring a landlord to disclose prior
 4 building, housing, or health code violations to a
 5 potential tenant; authorizing a tenant to terminate the
 6 rental agreement if the landlord does not comply with the
 7 disclosure requirement; providing an effective date.

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

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 11 Section 1. Subsection (3) is added to section 83.50,
 12 Florida Statutes, to read:

13 83.50 Disclosure.--

14 (3) (a) The landlord, or a person authorized to enter into
 15 a rental agreement on the landlord's behalf, shall disclose to
 16 the tenant in a writing separate from the rental agreement at or
 17 before the commencement of the tenancy if, within the 5 years
 18 prior to entering into the agreement, the landlord has been
 19 found to be in violation of any building, housing, or health
 20 code with regard to the rental property. The disclosure shall
 21 include the name, street address, telephone number, and Internet
 22 website address, if available, of each government agency that
 23 has issued a code violation against the rental property.

24 (b) A tenant may terminate the rental agreement if the
 25 landlord or the landlord's authorized representative has not
 26 provided the disclosure required by paragraph (a) or if the
 27 disclosure received from the landlord or the landlord's
 28 authorized representative contains material misrepresentations

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29 of fact and the tenant would not have entered into the lease had
30 the information required by paragraph (a) been accurately
31 disclosed. A tenant who terminates a rental agreement pursuant
32 to this paragraph is liable for the rent due under the rental
33 agreement prorated to the effective date of the termination,
34 payable at such time as would have otherwise been required by
35 the terms of the rental agreement. Such tenant is not liable for
36 any other rent or damages due to the early termination of the
37 tenancy as provided for in this paragraph.

38 Section 2. This act shall take effect July 1, 2007.