

By Senator Hill

1-1018-07

See HB 5

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

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

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

83.50 Disclosure.--

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

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

1 of fact and the tenant would not have entered into the lease  
2 had the information required by paragraph (a) been accurately  
3 disclosed. A tenant who terminates a rental agreement pursuant  
4 to this paragraph is liable for the rent due under the rental  
5 agreement prorated to the effective date of the termination,  
6 payable at such time as would have otherwise been required by  
7 the terms of the rental agreement. Such tenant is not liable  
8 for any other rent or damages due to the early termination of  
9 the tenancy as provided for in this paragraph.

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