

By Senator Joyner

18-00939A-09

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1                   A bill to be entitled  
2           An act relating to landlord-tenant relations;  
3           requiring the landlord or the landlord's agent to  
4           notify the mortgagee in writing within a specified  
5           period that the premises is being rented as a dwelling  
6           unit; requiring the landlord to give a copy of the  
7           notice to the tenant at the time the landlord notifies  
8           the mortgagee; requiring the landlord or the  
9           landlord's agent to notify the mortgagee of any change  
10          in the rental arrangement; providing that each tenant  
11          of the premises is a party to a proceeding to  
12          foreclose any note or mortgage covering the premises;  
13          requiring that, following a notice of foreclosure, the  
14          landlord pay into the registry of the court deposit  
15          money received by the landlord; prohibiting any  
16          purchaser who receives a certificate of title on a  
17          foreclosed premises from taking possession of the  
18          premises earlier than 60 days after the tenant is  
19          given written notice of the foreclosure; requiring the  
20          purchaser to notify each tenant by registered mail;  
21          requiring a landlord to inform any prospective or  
22          current tenant of any problem that, to the best of  
23          landlord's knowledge, may cause the premises to be  
24          subject to a foreclosure proceeding; providing an  
25          effective date.

26  
27   Be It Enacted by the Legislature of the State of Florida:

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29          Section 1. Foreclosure notice provisions for rental

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30 property.-

31 (1) (a) If a premises of which a dwelling unit is a part is  
32 subject to a rental agreement and the premises is subject to a  
33 note or mortgage, the landlord or the landlord's agent shall  
34 notify the mortgagee in writing that the premises is being  
35 rented as a dwelling unit. Notice shall be given no later than  
36 30 days after the rental agreement has been signed. The notice  
37 must state the name of the tenant, the length of time of the  
38 rental agreement, and the address of the dwelling unit that is  
39 subject to the rental agreement. The landlord shall give the  
40 tenant a copy of the notice at the time the landlord notifies  
41 the mortgagee.

42 (b) The landlord or the landlord's agent shall notify the  
43 mortgagee of any change in the rental agreement no later than 14  
44 days after learning of the change.

45 (2) Each tenant of the premises is a party to a proceeding  
46 to foreclose any note or mortgage covering the premises that is  
47 subject to a rental agreement between the tenant and the  
48 landlord.

49 (3) Upon receipt of a notice of a foreclosure proceeding  
50 regarding the premises that is subject to a rental agreement,  
51 the landlord shall pay into the registry of the court any  
52 deposit money received by the landlord from the tenant under the  
53 rental agreement no later than 14 days after receipt of the  
54 notice of a foreclosure proceeding.

55 (4) Any purchaser who receives a certificate of title on a  
56 foreclosed premises may take possession of the premises that is  
57 subject to a rental agreement no earlier than 60 days after the  
58 tenant has been given written notice of the foreclosure. The

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59 notice must state that the premises has been sold and the  
60 purchaser desires to take possession of the premises. The  
61 purchaser must give notice to each tenant by registered mail,  
62 return receipt requested.

63 (5) A landlord or the landlord's agent who rents a premises  
64 that is subject to a note or mortgage must inform a prospective  
65 or current tenant if the premises is in a foreclosure proceeding  
66 or whether there are problems that, to the best of the knowledge  
67 of the landlord or the landlord's agent, may cause the premises  
68 to be subject to a foreclosure proceeding.

69 Section 2. This act shall take effect July 1, 2009.