



960520

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2010	.	
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The Committee on Judiciary (Haridopolos) recommended the following:

**Senate Amendment**

Delete lines 109 - 181  
and insert:

a. Notice shall be given to the officers of the homeowners' association by United States mail. Within 45 days after the date of mailing the notice, the homeowners' association shall have the right to execute and deliver a contract to the park owner to purchase the mobile home park under the same price and terms and conditions as set forth in the notice. The conditions in the notice may require the purchase of other real estate that is contiguous or adjacent to the mobile home park. If such contract



960520

13 between the park owner and the homeowners' association is not  
14 executed and delivered to the park owner within the 45-day  
15 period, the park owner shall be under no further obligation to  
16 the homeowners' association under this sub-subparagraph, and her  
17 or his only obligation shall be as set forth in sub-subparagraph  
18 b.

19 b. If the park owner elects to offer or sell the park at a  
20 price lower than the price specified in her or his initial  
21 notice to the officers of the homeowners' association, the  
22 homeowners' association shall have an additional 10 days to meet  
23 the revised price and terms and conditions of the park owner by  
24 executing and delivering the revised contract to the park owner.

25 c. The park owner shall have no obligation under this  
26 paragraph or s. 723.071 to give any further notice to or to  
27 negotiate with the homeowners' association for the sale of the  
28 mobile home park to the homeowners' association after 6 months  
29 from the date of mailing the initial notice described in sub-  
30 subparagraph a.

31 2. The park owner gives the affected mobile home owners  
32 with ~~all tenants affected are given~~ at least 6 months' notice of  
33 eviction due to the projected change in ~~of~~ use and of their need  
34 to secure other accommodations.

35 a. The notice of eviction due to a change in use of the  
36 land may be given to the affected mobile home owners at the same  
37 time as or after the notice of a right to purchase the mobile  
38 home park has been given to the officers of the homeowners'  
39 association as set forth in subparagraph 1.a.

40 b. The notice of eviction due to a change in use of the  
41 land shall include in a font no smaller than the body of the



960520

42 notice the following statement: YOU MAY BE ENTITLED TO  
43 COMPENSATION FROM THE FLORIDA MOBILE HOME RELOCATION TRUST FUND,  
44 ADMINISTERED BY THE FLORIDA MOBILE HOME RELOCATION CORPORATION  
45 (FMHRC). FMHRC CONTACT INFORMATION IS AVAILABLE FROM THE FLORIDA  
46 DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION.

47 c. The park owner may not give a notice of increase in lot  
48 rental amount within 90 days before giving notice of a change in  
49 use.

50 (e) Failure of the purchaser, prospective tenant, or  
51 occupant of a mobile home situated in the mobile home park to be  
52 qualified as, and to obtain approval to become, a tenant or  
53 occupant of the home, if such approval is required by a properly  
54 promulgated rule. If a purchaser or prospective tenant of a  
55 mobile home situated in the mobile home park occupies the mobile  
56 home before approval is granted, the mobile home owner or mobile  
57 home tenant shall have 7 days from the date the notice of the  
58 failure to be approved for tenancy is delivered to vacate the  
59 premises.

60 (2) In the event of eviction for change in ~~of~~ use,  
61 homeowners must object to the change in use by petitioning for  
62 administrative or judicial remedies within 90 days of the date  
63 of the notice or they will be barred from taking any subsequent  
64 action to contest the change in use. This provision shall not be  
65 construed to prevent any homeowner from objecting to a zoning  
66 change at any time.

67 ~~(3) The provisions of s. 723.083 shall not be applicable to~~  
68 ~~any park where the provisions of this subsection apply.~~

69 (3)(4) A mobile home park owner applying for the removal of  
70 a mobile home owner, tenant, occupant, or a mobile home shall



960520

71 file, in the county court in the county where the mobile home  
72 lot is situated, a complaint describing the lot and stating the  
73 facts that authorize the removal of the mobile home owner,  
74 tenant, occupant, or the mobile home. The park owner is entitled  
75 to the summary procedure provided in s. 51.011, and the court  
76 shall advance the cause on the calendar.

77 (4)-(5) Except for the notice to the officers of the