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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/30/2012	.	
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The Committee on Community Affairs (Norman) recommended the following:

Senate Amendment (with title amendment)

Between lines 42 and 43
insert:

Section 1. Subsection (5) of section 83.56, Florida
Statutes, is amended to read:

83.56 Termination of rental agreement.—

(5) If the landlord accepts rent with actual knowledge of a noncompliance by the tenant or accepts performance by the tenant of any other provision of the rental agreement that is at variance with its provisions, or if the tenant pays rent with actual knowledge of a noncompliance by the landlord or accepts



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13 performance by the landlord of any other provision of the rental
14 agreement that is at variance with its provisions, the landlord
15 or tenant waives his or her right to terminate the rental
16 agreement or to bring a civil action for that noncompliance, but
17 not for any subsequent or continuing noncompliance. Any tenant
18 who wishes to defend against an action by the landlord for
19 possession of the unit for noncompliance of the rental agreement
20 or of relevant statutes shall comply with the provisions in s.
21 83.60(2). The court may not set a date for mediation or trial
22 unless the provisions of s. 83.60(2) have been met, but shall
23 enter a default judgment for removal of the tenant with a writ
24 of possession to issue immediately if the tenant fails to comply
25 with s. 83.60(2). This subsection does not apply to that portion
26 of rent subsidies received from a local, state, or national
27 government or an agency of local, state, or national government;
28 however, waiver will occur if an action has not been instituted
29 within 90 ~~45~~ days after the landlord has actual knowledge of the
30 noncompliance.

31
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete line 2

35 and insert:

36 An act relating to public housing; amending s. 83.56,
37 F.S.; revising provisions for terminating a rental
38 agreement that involves rent subsidies received from a
39 local, state, or national government; amending s.
40 421.02,