

1                   A bill to be entitled  
 2           An act relating to mobile home park tenancies;  
 3           amending s. 723.059, F.S.; clarifying provisions  
 4           authorizing a mobile home park owner to increase the  
 5           rental amount paid by a purchaser of a mobile home  
 6           following expiration of the assumed rental agreement;  
 7           allowing a mobile home park owner to require a  
 8           purchaser to enter into a new tenancy under a new  
 9           rental agreement and prospectus upon the expiration of  
 10          an assumed rental agreement if the prospectus and  
 11          rental agreement are delivered to the purchaser before  
 12          occupancy; providing an effective date.

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

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 16           Section 1.   Section 723.059, Florida Statutes, is amended  
 17   to read:

18           723.059   Rights of purchaser.—

19           (1)   The purchaser of a mobile home within a mobile home  
 20   park may become a tenant of the park if such purchaser would  
 21   otherwise qualify with the requirements of entry into the park  
 22   under the park rules and regulations, subject to the approval of  
 23   the park owner, but such approval may not be unreasonably  
 24   withheld.

25           (2)   Properly promulgated rules may provide for the  
 26   screening of any prospective purchaser to determine whether or  
 27   not such purchaser is qualified to become a tenant of the park.

28           (3)   The purchaser of a mobile home who becomes a resident

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29 of the mobile home park in accordance with this section has the  
30 right to assume the remainder of the term of any rental  
31 agreement then in effect between the mobile home park owner and  
32 the seller ~~and shall be entitled to rely on the terms and~~  
33 ~~conditions of the prospectus or offering circular as delivered~~  
34 ~~to the initial recipient.~~

35 (4) However, this section does not ~~nothing herein shall be~~  
36 ~~construed to~~ prohibit a mobile home park owner from requiring  
37 the purchaser to enter into a new tenancy under a new rental  
38 agreement and prospectus and increasing the rental amount to be  
39 paid by the purchaser upon the expiration of the assumed rental  
40 agreement in an amount deemed appropriate by the mobile home  
41 park owner, if the so long as such increase is disclosed to the  
42 purchaser and the prospectus and rental agreement are delivered  
43 to the purchaser before ~~prior to~~ his or her occupancy ~~and is~~  
44 ~~imposed in a manner consistent with the initial offering~~  
45 ~~circular or prospectus and this act.~~

46 (5) Lifetime leases, both those existing and those entered  
47 into after July 1, 1986, are ~~shall be~~ nonassumable unless  
48 otherwise provided in the lot rental agreement or unless the  
49 transferee is the home owner's spouse. The renewal provisions in  
50 automatically renewable leases, both those existing and those  
51 entered into after July 1, 1986, are not assumable unless  
52 otherwise provided in the lease agreement.

53 Section 2. This act shall take effect July 1, 2012.