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A bill to be entitled
An act relating to real estate professions; amending
s. 475.01, F.S.; revising the definition of the term
"broker" to include a short-term or vacation rental
property manager; defining the term "short-term or
vacation rental property manager"; providing an
effective date.

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

Section 1. Paragraph (a) of subsection (1) of section
475.01, Florida Statutes, is amended, paragraphs (i) through (m)
are redesignated as paragraphs (j) through (n), respectively,
and a new paragraph (i) is added to that subsection, to read:

475.01 Definitions.—

(1) As used in this part:

(a) "Broker" means a person who, for another, and for a
compensation or valuable consideration directly or indirectly
paid or promised, expressly or impliedly, or with an intent to
collect or receive a compensation or valuable consideration
therefor, appraises, auctions, sells, exchanges, buys, rents, or
offers, attempts or agrees to appraise, auction, or negotiate
the sale, exchange, purchase, or rental of business enterprises
or business opportunities or any real property or any interest
in or concerning the same, including mineral rights or leases,
or who advertises or holds out to the public by any oral or

27 printed solicitation or representation that she or he is engaged
28 in the business of appraising, auctioning, buying, selling,
29 exchanging, leasing, or renting business enterprises or business
30 opportunities or real property of others or interests therein,
31 including mineral rights, or who takes any part in the procuring
32 of sellers, purchasers, lessors, or lessees of business
33 enterprises or business opportunities or the real property of
34 another, or leases, or interest therein, including mineral
35 rights, or who directs or assists in the procuring of prospects
36 or in the negotiation or closing of any transaction which does,
37 or is calculated to, result in a sale, exchange, or leasing
38 thereof, and who receives, expects, or is promised any
39 compensation or valuable consideration, directly or indirectly
40 therefor; and all persons who advertise rental property
41 information or lists. A broker renders a professional service
42 and is a professional within the meaning of s. 95.11(4)(a).
43 Where the term "appraise" or "appraising" appears in the
44 definition of the term "broker," it specifically excludes those
45 appraisal services which must be performed only by a state-
46 licensed or state-certified appraiser, and those appraisal
47 services which may be performed by a registered trainee
48 appraiser as defined in part II. The term "broker" also includes
49 any person who is a general partner, officer, or director of a
50 partnership or corporation which acts as a broker. The term
51 "broker" also includes any person or entity who undertakes to
52 list or sell one or more timeshare periods per year in one or

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53 more timeshare plans on behalf of any number of persons, except
54 as provided in ss. 475.011 and 721.20. The term "broker" also
55 includes a short-term or vacation rental property manager.

56 (i) "Short-term or vacation rental property manager" means
57 a person who, for regular, fixed compensation or for commission-
58 based compensation, maintains and leases one or more properties
59 or negotiates a lease of one or more properties on behalf of the
60 property owners for up to 90 days. The term does not include the
61 operator of a public lodging establishment licensed under
62 chapter 509.

63 Section 2. This act shall take effect July 1, 2014.