

26 | after service of the complaint. If the tenant requests a
27 | continuance of the trial to a date more than 30 days after
28 | service of the complaint or requests a jury trial, the court may
29 | enter an order requiring the tenant to pay into the registry of
30 | the court the rent that accrues during the pendency of the
31 | proceeding. If the tenant fails to comply with a court order
32 | issued under this subsection, the court shall schedule an
33 | immediate trial on the issue of possession ~~if the tenant~~
34 | ~~interposes any defense other than payment, including, but not~~
35 | ~~limited to, the defense of a defective 3-day notice, the tenant~~
36 | ~~shall pay into the registry of the court the accrued rent as~~
37 | ~~alleged in the complaint or as determined by the court and the~~
38 | ~~rent that accrues during the pendency of the proceeding, when~~
39 | ~~due. The clerk shall notify the tenant of such requirement in~~
40 | ~~the summons. Failure of the tenant to pay the rent into the~~
41 | ~~registry of the court or to file a motion to determine the~~
42 | ~~amount of rent to be paid into the registry within 5 days,~~
43 | ~~excluding Saturdays, Sundays, and legal holidays, after the date~~
44 | ~~of service of process constitutes an absolute waiver of the~~
45 | ~~tenant's defenses other than payment, and the landlord is~~
46 | ~~entitled to an immediate default judgment for removal of the~~
47 | ~~tenant with a writ of possession to issue without further notice~~
48 | ~~or hearing thereon. If a motion to determine rent is filed,~~
49 | ~~documentation in support of the allegation that the rent as~~
50 | ~~alleged in the complaint is in error is required. Public housing~~

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51 tenants or tenants receiving rent subsidies are required to
52 deposit only that portion of the full rent for which they are
53 responsible pursuant to the federal, state, or local program in
54 which they are participating.

55 Section 2. Paragraph (b) of subsection (5) of section
56 83.56, Florida Statutes, is amended to read:

57 83.56 Termination of rental agreement.—

58 (5)

59 ~~(b) Any tenant who wishes to defend against an action by~~
60 ~~the landlord for possession of the unit for noncompliance of the~~
61 ~~rental agreement or of relevant statutes must comply with s.~~
62 ~~83.60(2). The court may not set a date for mediation or trial~~
63 ~~unless the provisions of s. 83.60(2) have been met, but must~~
64 ~~enter a default judgment for removal of the tenant with a writ~~
65 ~~of possession to issue immediately if the tenant fails to comply~~
66 ~~with s. 83.60(2).~~

67 Section 3. This act shall take effect July 1, 2018.