

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nixon offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 201 and 202, insert:

5 Section 2. Subsection (9) is added to section 83.67,
6 Florida Statutes, to read:

7 83.67 Prohibited practices.—

8 (9) If a landlord requires a prospective tenant to
9 complete a rental application before residing in a dwelling
10 unit, the landlord may not charge a rental application fee of
11 more than \$100 per applicant. For purposes of this subsection,
12 the term "applicant" means the prospective tenant and all
13 members of his or her family who will reside in the dwelling

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14 unit. If, after a prospective tenant submits a rental
 15 application and application fee, a dwelling unit is not
 16 available, the landlord must refund the application fee to the
 17 prospective tenant.

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T I T L E A M E N D M E N T

Remove lines 2-33 and insert:
 An act relating to fees for residential tenancies;
 creating s. 83.491, F.S.; authorizing a landlord to
 offer a tenant the option to pay a fee in lieu of a
 security deposit; requiring the landlord to notify the
 tenant of certain unpaid fees and costs within a
 specified time after the conclusion of the tenancy;
 prohibiting the landlord from filing an insurance
 claim within a specified period of time; providing
 requirements for the landlord and insurer if an
 insurance claim to recover certain losses is filed;
 prohibiting the landlord from accepting certain
 payments; requiring the landlord to provide certain
 written notice to the tenant; requiring a written
 agreement signed by the landlord, or the landlord's
 agent, and the tenant if the tenant decides to pay a
 fee in lieu of the security deposit; prohibiting the

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39 written agreement from contradicting specified laws;
40 requiring that the written agreement contain certain
41 information; requiring a specified disclosure in the
42 written agreement; providing options for paying the
43 fee; specifying that certain fees, insurance products,
44 and surety bonds are not security deposits; specifying
45 that landlords have exclusive discretion as to whether
46 to offer tenants the option to pay a fee in lieu of a
47 security deposit; prohibiting a landlord from
48 approving or denying an application for occupancy
49 based on a prospective tenant's choice to pay a fee in
50 lieu of a security deposit; requiring that landlords
51 who offer a tenant the fee option offer such option to
52 all new tenants renting a dwelling unit on the same
53 premises; providing an exception; providing
54 construction; providing applicability; amending s.
55 83.67, F.S.; limiting the amount a landlord may charge
56 for an application fee; providing a definition;
57 providing an

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