

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Nixon offered the following:

2  
3 **Amendment**

4 Remove lines 97-129 and insert:

5 (e) That the fees paid are refundable if, at any time, the  
6 tenant pays the full amount of the required security deposit.

7 (f) That the fee is only for securing occupancy without  
8 paying a required security deposit.

9 (g) That the fee payment does not limit or change the  
10 tenant's obligation to pay rent and fees, if any, under the  
11 rental agreement or limit or change the tenant's obligation to  
12 pay the costs of repairing damage to the premises beyond normal  
13 wear and tear.

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14 (h) That if the landlord uses any portion of the fee to  
15 purchase insurance, the tenant is not insured and is not a  
16 beneficiary of the landlord's insurance coverage, and that the  
17 insurance does not limit or change the tenant's obligations to  
18 pay rent and fees under the rental agreement or change the  
19 tenant's obligation to pay the costs of repairing damage to the  
20 premises beyond normal wear and tear.

21 (4) (a) If a tenant decides to pay a fee in lieu of a  
22 security deposit, a written agreement to collect the fee must be  
23 signed by the landlord, or the landlord's agent, and the tenant.  
24 The written agreement may not contain any clause that  
25 contradicts s. 83.45 or s. 83.47. The written agreement must, at  
26 a minimum, specify all of the following:

27 1. The amount of the fee, which may not be increased  
28 during the term of the rental agreement.

29 2. How and when the fee is to be collected.

30 3. The process and timeframe during which a tenant must  
31 pay the security deposit specified in the rental agreement if  
32 the tenant defaults on paying the fee, and that such default  
33 will not adversely affect the tenant's credit rating if the  
34 security deposit is timely paid.

35 4. That the written agreement may be terminated at any  
36 time as long as the tenant pays the amount of the security  
37 deposit specified in the rental agreement.

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38           5. That the fees paid by the tenant must be refunded if,  
39 at any time, the tenant pays the full amount of the required  
40 security deposit.

41           6. If the tenant pays the amount of the security deposit

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