

By the Committee on Judiciary; and Senator Rodriguez

590-02250-26

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A bill to be entitled

An act relating to fraudulent entry of residential dwellings; creating s. 817.537, F.S.; creating the crime of fraudulent entry of a residential dwelling unit; prohibiting a person from entering into and taking possession of a residential dwelling unit under specified circumstances; providing a criminal penalty; amending s. 83.56, F.S.; providing that fraudulent entry of a residential dwelling unit is an act of noncompliance for which a landlord may terminate a rental agreement; providing an effective date.

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

Section 1. Section 817.537, Florida Statutes, is created to read:

817.537 Fraudulent entry of a residential dwelling unit.—

(1) A person may not enter into and take possession of a residential dwelling unit by knowingly and willfully:

(a) Making or causing to be made any materially false statement, in writing, relating to the person's identity in any rental application for a residential tenancy.

(b) Presenting forged, fictitious, or counterfeit documents to the landlord of a residential dwelling unit, including, but not limited to, a driver license, an identification card, a bank statement, or a pay stub.

(c) Executing a rental agreement, or taking possession of a residential dwelling unit, while impersonating the person in whose name the rental application is submitted to the landlord.

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(2) A person who violates this section commits the offense of fraudulent entry of a residential dwelling unit, which is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Paragraph (a) of subsection (2) of section 83.56, Florida Statutes, is amended to read:

83.56 Termination of rental agreement.—

(2) If the tenant materially fails to comply with s. 83.52 or material provisions of the rental agreement, other than a failure to pay rent, or reasonable rules or regulations, the landlord may:

(a) If such noncompliance is of a nature that the tenant should not be given an opportunity to cure it or if the noncompliance constitutes a subsequent or continuing noncompliance within 12 months of a written warning by the landlord of a similar violation, deliver a written notice to the tenant specifying the noncompliance and the landlord's intent to terminate the rental agreement by reason thereof. Examples of noncompliance which are of a nature that the tenant should not be given an opportunity to cure include, but are not limited to, destruction, damage, or misuse of the landlord's or other tenants' property by intentional act; an act of fraudulent entry of a residential dwelling unit which violates s. 817.537(1), regardless of whether criminal proceedings have commenced; or a subsequent or continued unreasonable disturbance. In such event, the landlord may terminate the rental agreement, and the tenant shall have 7 days from the date that the notice is delivered to vacate the premises. The notice shall be in substantially the following form:

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60 You are advised that your lease is terminated effective
61 immediately. You shall have 7 days from the delivery of this
62 letter to vacate the premises. This action is taken because
63 ...(cite the noncompliance)....

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65 Section 3. This act shall take effect October 1, 2026.