

**By** Senator Bracy Davis

15-01283-26

20261550

15-01283-26

20261550

30       circumstances; authorizing a person to file a  
31       complaint with the Department of Legal Affairs if a  
32       park owner fails to provide certain information;  
33       providing the department authority to enforce  
34       compliance with state law; authorizing the department  
35       to adopt rules; amending s. 723.038, F.S.; authorizing  
36       a person to file a complaint with the Department of  
37       Legal Affairs if a party to a dispute refuses to  
38       mediate; requiring the department to appoint a  
39       mediator and mediation to begin within a specified  
40       timeframe; amending s. 723.061, F.S.; revising the  
41       circumstances under which, and the timeframe in which,  
42       a park owner may terminate a tenancy; authorizing  
43       specified persons or entities to pay a lot rental  
44       amount in a certain manner; requiring the park owner  
45       to accept such payment; providing when an amount due  
46       is paid when paying by check; prohibiting properly  
47       promulgated rules and regulations from being used by a  
48       mobile home park owner in a certain manner; amending  
49       s. 723.0611, F.S.; specifying the purpose of the  
50       Florida Mobile Home Relocation Corporation; amending  
51       s. 723.0612, F.S.; revising dollar amounts for certain  
52       expenses due to a change in use of the land on which a  
53       mobile home park is located; authorizing a moving  
54       contractor to redeem a voucher within a specified  
55       timeframe; amending s. 723.011, F.S.; conforming a  
56       cross-reference; providing an effective date.

57

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

15-01283-26

20261550

59

60       Section 1. Section 723.005, Florida Statutes, is amended to  
61 read:

62       723.005 Regulation by division.—Except as provided in this  
63 chapter, the division has the power and duty to enforce and  
64 ensure compliance with the provisions of this chapter and rules  
65 promulgated pursuant hereto relating to the rental, development,  
66 and sale of mobile home parks. However, the division does not  
67 have the power or duty to enforce mobile home park rules and  
68 regulations or to enforce the provisions of ss. 723.022,  
69 723.023, and 723.033.

70       Section 2. Section 723.022, Florida Statutes, is amended to  
71 read:

72       723.022 Mobile home park owner's general obligations.—

73       (1) A mobile home park owner shall at all times:

74       (a) Comply with the requirements of applicable building,  
75 housing, and health codes.

76       (b) Maintain buildings and improvements in common areas  
77 in a good state of repair and maintenance and maintain the  
78 common areas in a good state of appearance, safety, and  
79 cleanliness.

80       (c) Provide access to the common areas, including  
81 buildings and improvements thereto, at all reasonable times for  
82 the benefit of the park residents and their guests.

83       (d) Maintain utility connections and systems for which  
84 the park owner is responsible in proper operating condition.

85       (e) Comply with properly promulgated park rules and  
86 regulations and require other persons on the premises with his  
87 or her consent to comply therewith and conduct themselves in a

15-01283-26

20261550

88 manner that does not unreasonably disturb the park residents or  
89 constitute a breach of the peace.

90 (2) A person who is injured by a violation of this section  
91 may file a complaint with the Department of Legal Affairs. The  
92 Department of Legal Affairs has the authority to enforce  
93 compliance with this section. The Department of Legal Affairs  
94 may adopt rules to implement this subsection.

95 Section 3. Section 723.023, Florida Statutes, is amended to  
96 read:

97 723.023 Mobile home owner's general obligations.—

98 (1) A mobile home owner shall:

99 (a) (1) At all times comply with all obligations imposed on  
100 mobile home owners by applicable provisions of building,  
101 housing, and health codes, including compliance with all  
102 building permits and construction requirements for construction  
103 on the mobile home and lot. The home owner is responsible for  
104 all fines imposed by the local government for noncompliance with  
105 any local codes.

106 (b) (2) At all times keep the mobile home lot that he or she  
107 occupies clean, neat, and sanitary, and maintained in compliance  
108 with all local codes.

109 (c) (3) At all times comply with properly promulgated park  
110 rules and regulations and require other persons on the premises  
111 with his or her consent to comply with such rules and to conduct  
112 themselves, and other persons on the premises with his or her  
113 consent, in a manner that does not unreasonably disturb other  
114 residents of the park or constitute a breach of the peace.

115 (d) (4) Receive written approval from the mobile home park  
116 owner before making any exterior modification or addition to the

15-01283-26

20261550

117 home.

118 (e) (5) When vacating the premises, remove any debris and  
119 other property of any kind which is left on the mobile home lot.120 (2) A person who is injured by a violation of this section  
121 may file a complaint with the Department of Legal Affairs. The  
122 Department of Legal Affairs has the authority to enforce  
123 compliance with this section. The Department of Legal Affairs  
124 may adopt rules to implement this subsection.125 Section 4. Subsection (6) of section 723.033, Florida  
126 Statutes, is amended to read:127 723.033 Unreasonable lot rental agreements; increases,  
128 changes.—129 (6) In determining whether a rent increase or resulting lot  
130 rental amount is unreasonable, the court may consider economic  
131 or other factors, including, but not limited to, all of the  
132 following:133 (a) The number of active sales within the mobile home park  
134 at the time the notice of rent increase is issued.135 (b) Incentives and other discounts being offered to new  
136 purchasers by the mobile home park owner or the mobile home  
137 owner.138 (c) The number of mobile homes abandoned or the number of  
139 titles transferred by the mobile home owner to the mobile home  
140 park owner in the previous 12 months for the purpose of avoiding  
141 eviction or to otherwise not terminate an existing rental  
142 agreement.143 (d) Increases or decreases in the consumer price index,  
144 published by the Bureau of Labor Statistics of the Department of  
145 Labor.

15-01283-26

20261550

146        (e) Increases or decreases in operating costs or taxes.  
147 and

148        (f) Prior disclosures.

149        Section 5. Section 723.034, Florida Statutes, is created to  
150 read:

151        723.034 Requirements for electronic billing or payment  
152 systems.

153        (1) A mobile home park owner may not engage, or permit an  
154 employee or agent of the park owner to engage, in any of the  
155 following acts or practices:

156        (a) Requiring a mobile home owner to use an electronic  
157 billing or payment system as the only method to pay the lot  
158 rental amount or user fees.

159        (b) Assessing a fee or other charge to a mobile home owner  
160 for his or her refusal or inability to pay the lot rental amount  
161 or user fees through an electronic billing or payment system  
162 used by the mobile home park owner.

163        (c) Using an electronic billing or payment system that  
164 requires a mobile home owner to waive individual or collective  
165 rights or remedies otherwise provided by law.

166        (d) Using an electronic billing or payment system that  
167 collects, or requires access to, a mobile home owner's personal  
168 data or data that is stored on a mobile home owner's device  
169 beyond that which is necessary to make a payment for the lot  
170 rental amount or user fees.

171        (2) This section applies prospectively and retroactively to  
172 all lot rental agreements existing on July 1, 2026.

173        (3) A person who is injured by a violation of this section  
174 may file a complaint with the Department of Legal Affairs. The

15-01283-26

20261550

175 Department of Legal Affairs has the authority to enforce  
176 compliance with this section. The Department of Legal Affairs  
177 may adopt rules to implement this subsection.

178 Section 6. Subsection (2), paragraph (b) of subsection (4),  
179 and subsection (6) of section 723.037, Florida Statutes, are  
180 amended to read:

181 723.037 Lot rental increases; reduction in services or  
182 utilities; change in rules and regulations; mediation.—

183 (2) Notice as required by this section ~~shall~~, in addition  
184 to the information required in subsection (1), must only be  
185 ~~required to~~ include the dollar amount of the relevant portions  
186 of the present lot rental amount that are being increased and  
187 the dollar amount of the proposed increases in lot rental amount  
188 if there is an increase in the lot rental amount, the reduction  
189 in services or utilities, or the change in rules and regulations  
190 and the effective date thereof. If there is a proposed increase  
191 in the lot rental amount, all relevant invoices, evidence, or  
192 proof that shows the expenses or material factors causing the  
193 increase in the lot rental amount must be included in such  
194 notice.

195 (4)

196 (b)1. At the meeting, the park owner or subdivision  
197 developer shall in good faith disclose and explain all expenses  
198 or material factors, including all relevant invoices, evidence,  
199 or other proof, resulting in the decision to increase the lot  
200 rental amount, reduce services or utilities, or change rules and  
201 regulations, including how those factors justify the specific  
202 change proposed. The park owner or subdivision developer may not  
203 limit the discussion of the reasons for the change to

15-01283-26

20261550

204 generalities only, such as, but not limited to, increases in  
205 operational costs, changes in economic conditions, or rents  
206 charged by comparable mobile home parks. ~~For example,~~

207 2. If the reason for an increase in lot rental amount is an  
208 increase in operational costs, the park owner must disclose and  
209 provide evidence of the item or items which have increased, the  
210 amount of the increase, any similar item or items which have  
211 decreased, and the amount of the decrease.

212 3. If an amenity, a service, or a utility is no longer  
213 available to mobile home owners, the park owner must reduce  
214 their lot rental amount.

215 4. If an increase is based upon the lot rental amount  
216 charged by comparable mobile home parks, the park owner shall  
217 disclose, and provide in writing to the committee at or before  
218 the meeting, the name, address, lot rental amount, and any other  
219 relevant factors relied upon by the park owner, such as  
220 facilities, services, and amenities, concerning the comparable  
221 mobile home parks. The information concerning comparable mobile  
222 home parks to be exchanged by the parties is to encourage a  
223 dialogue concerning the reasons used by the park owner for the  
224 increase in lot rental amount and to encourage the home owners  
225 to evaluate and discuss the reasons for those changes with the  
226 park owner. ~~The park owner shall prepare a written summary of~~  
227 ~~the material factors and retain a copy for 3 years. The park~~  
228 ~~owner shall provide the committee a copy of the summary at or~~  
229 ~~before the meeting.~~

230 2. The park owner shall not limit the comparable mobile  
231 home park disclosure to those mobile home parks that are owned  
232 or operated by the same owner or operator as the subject park,

15-01283-26

20261550

233 except in certain circumstances, which include, but are not  
234 limited to:

235 a. That the market area for comparable mobile home parks  
236 includes mobile home parks owned or operated by the same entity  
237 that have similar facilities, services, and amenities;

238 b. That the subject mobile home park has unique attributes  
239 that are shared with similar mobile home parks;

240 c. That the mobile home park is located in a geographic or  
241 market area that contains few comparable mobile home parks; or

242 d. That there are similar considerations or factors that  
243 would be considered in such a market analysis by a competent  
244 professional and would be considered in determining the  
245 valuation of the market rent.

246 5. The park owner shall prepare a written summary of the  
247 expenses and material factors required in this paragraph and  
248 retain a copy for 3 years. The park owner shall provide the  
249 committee a copy of the summary at or before the meeting.

250  
251 This subsection is not intended to be enforced by civil or  
252 administrative action. Rather, the meetings and discussions are  
253 intended to be in the nature of settlement discussions prior to  
254 the parties proceeding to mediation of any dispute.

255 (6) If a party requests mediation and the opposing party  
256 refuses to agree to mediate upon proper request, the party  
257 refusing to mediate is shall not be entitled to attorney  
258 attorney's fees in any action relating to a dispute described in  
259 this section. Notwithstanding subsections (4) and (5), a person  
260 may file a complaint with the Department of Legal Affairs if the  
261 park owner fails to provide relevant invoices, evidence, or

15-01283-26

20261550

262 proof of the expenses or material factors causing a proposed  
263 increase in the lot rental amount. The Department of Legal  
264 Affairs has the authority to enforce compliance with this  
265 section. The Department of Legal Affairs may adopt rules to  
266 implement this subsection.

267 Section 7. Subsection (4) of section 723.038, Florida  
268 Statutes, is amended to read:

269 723.038 Dispute settlement; mediation.—

270 (4) (a) After the date of the last scheduled meeting held  
271 pursuant to s. 723.037(4), the parties to a dispute may agree to  
272 immediately select a mediator and initiate mediation proceedings  
273 pursuant to this section. The parties may accept the mediator  
274 appointed by the division or, within 30 days, select a mediator  
275 to mediate the dispute pursuant to subsection (2).

276 (b) The parties shall each pay a \$250 filing fee to the  
277 mediator appointed by the division or selected by the parties  
278 within 30 days after the division notifies the parties of the  
279 appointment of the mediator. The \$250 filing fee shall be used  
280 by the mediator to defray the hourly rate charged for mediation  
281 of the dispute. Any portion of the filing fee not used shall be  
282 refunded to the parties.

283 (c) If a party to the dispute refuses to mediate, the other  
284 party may file a complaint with the Department of Legal Affairs.  
285 Within 10 business days after receipt of the complaint, the  
286 Department of Legal Affairs must appoint a mediator and  
287 mediation must begin in accordance with this section.

288 Section 8. Paragraphs (a), (b), and (c) of subsection (1)  
289 of section 723.061, Florida Statutes, are amended to read:

290 723.061 Eviction; grounds, proceedings.—

15-01283-26

20261550

291       (1) A mobile home park owner may evict a mobile home owner,  
292 a mobile home tenant, a mobile home occupant, or a mobile home  
293 only on one or more of the following grounds:

294       (a) Nonpayment of the lot rental amount. If a mobile home  
295 owner, ~~or~~ tenant, or occupant, whoever ~~whichever~~ is responsible,  
296 fails to pay the lot rental amount when due and such failure to  
297 pay is not caused, directly or indirectly, by the mobile home  
298 park owner's refusal to accept payment for the lot rental amount  
299 or because the park owner has restricted the ability of the  
300 mobile home owner, tenant, or occupant to pay the lot rental  
301 amount when due, and if the default continues for 10 ~~5~~ days  
302 after delivery of a written demand by the ~~mobile home~~ park owner  
303 for payment of the lot rental amount, the park owner may  
304 terminate the tenancy. The mobile home owner, tenant, or  
305 occupant; a family member or friend of the mobile home owner,  
306 tenant, or occupant; or any other person, organization, or  
307 charity may pay the lot rental amount by check or an electronic  
308 transfer, and such payment must be accepted by the park owner,  
309 operator of the mobile home park, or other designee of the park  
310 owner. If payment is made by check, the amount due is considered  
311 paid at the time the check is delivered to the park owner,  
312 operator of the mobile home park, or other designee of the park  
313 owner. However, if the mobile home owner, ~~or~~ tenant, or  
314 occupant; a family member or friend of the mobile home owner,  
315 tenant, or occupant; or any other person, organization, or  
316 charity ~~whichever~~ is responsible, pays the lot rental amount  
317 due, including any late charges, court costs, and attorney  
318 attorney's fees, the court may, for good cause, deny the order  
319 of eviction, if such nonpayment has not occurred more than

15-01283-26

20261550

320 twice.

321       (b) Conviction of a violation of a federal or state law or  
322 local ordinance, if the violation is detrimental to the health,  
323 safety, or welfare of other residents of the mobile home park.  
324 The mobile home owner, ~~or~~ mobile home tenant, or mobile home  
325 occupant must vacate the premises within 7 days after the date  
326 the notice to vacate is delivered. This paragraph constitutes  
327 grounds to deny an initial tenancy of a purchaser of a home  
328 under paragraph (e) or to evict an unapproved occupant of a  
329 home.

330       (c) Violation of a park rule or regulation, the rental  
331 agreement, or this chapter.

332       1. For the first violation of any properly promulgated rule  
333 or regulation, rental agreement provision, or this chapter which  
334 is found by any court of competent jurisdiction to have been an  
335 act that endangered the life, health, safety, or property of the  
336 park residents or employees or the peaceful enjoyment of the  
337 mobile home park by its residents, the mobile home park owner  
338 may terminate the rental agreement, and the mobile home owner,  
339 tenant, or occupant must vacate the premises within 7 days after  
340 the notice to vacate is delivered.

341       2. For a second violation of the same properly promulgated  
342 rule or regulation, rental agreement provision, or this chapter  
343 within 12 months, the mobile home park owner may terminate the  
344 tenancy if she or he has given the mobile home owner, tenant, or  
345 occupant written notice, within 30 days after the first  
346 violation, which specified the actions of the mobile home owner,  
347 tenant, or occupant that caused the violation and gave the  
348 mobile home owner, tenant, or occupant 7 days to correct the

15-01283-26

20261550

349 noncompliance. The mobile home owner, tenant, or occupant must  
350 have received written notice of the ground upon which she or he  
351 is to be evicted at least 30 days before prior to the date on  
352 which she or he is required to vacate. A second violation of a  
353 properly promulgated rule or regulation, rental agreement  
354 provision, or this chapter within 12 months after ~~of~~ the first  
355 violation is unequivocally a ground for eviction, and it is not  
356 a defense to any eviction proceeding that a violation has been  
357 cured after the second violation. Violation of a rule or  
358 regulation, rental agreement provision, or this chapter more  
359 than 1 year after the first violation of the same rule or  
360 regulation, rental agreement provision, or this chapter does not  
361 constitute a ground for eviction under this section.

362

363 A properly promulgated rule or regulation may not be arbitrarily  
364 applied and used as a ground for eviction or used as a basis for  
365 a mobile home park owner to refuse to accept the payment of the  
366 lot rental amount by any means, other than cash, or to otherwise  
367 restrict the ability of a mobile home owner, a tenant, or an  
368 occupant to pay the lot rental amount when due.

369 Section 9. Paragraph (a) of subsection (1) of section  
370 723.0611, Florida Statutes, is amended to read:

371 723.0611 Florida Mobile Home Relocation Corporation.—

372 (1) (a) There is created the Florida Mobile Home Relocation  
373 Corporation to address voluntary closures of mobile home parks  
374 due to a change in the use of the land comprising the mobile  
375 home park. The corporation shall be administered by a board of  
376 directors made up of six members, three of whom shall be  
377 appointed by the Secretary of Business and Professional

15-01283-26

20261550

378 Regulation from a list of nominees submitted by the largest  
379 nonprofit association representing mobile home owners in this  
380 state, and three of whom shall be appointed by the Secretary of  
381 Business and Professional Regulation from a list of nominees  
382 submitted by the largest nonprofit association representing the  
383 manufactured housing industry in this state. All members of the  
384 board of directors, including the chair, shall be appointed to  
385 serve for staggered 3-year terms.

386 Section 10. Subsection (1) and subsections (4) and (7) of  
387 section 723.0612, Florida Statutes, are amended to read:

388 723.0612 Change in use; relocation expenses; payments by  
389 park owner.—

390 (1) If a mobile home owner is required to move due to a  
391 change in use of the land comprising the mobile home park as set  
392 forth in s. 723.061(1)(d) and complies with the requirements of  
393 this section, the mobile home owner is entitled to payment from  
394 the Florida Mobile Home Relocation Corporation of:

395 (a) The amount of actual moving expenses of relocating the  
396 mobile home to a new location within a 50-mile radius of the  
397 vacated park, or

398 (b) The amount of \$6,500 ~~\$3,000~~ for a single-section mobile  
399 home or \$11,500 ~~\$6,000~~ for a multisection mobile home, whichever  
400 is less. Moving expenses include the cost of taking down,  
401 moving, and setting up the mobile home in a new location.

402 (4) The Florida Mobile Home Relocation Corporation must  
403 approve payment within 45 days after receipt of the information  
404 set forth in subsection (3), or payment is deemed approved. A  
405 copy of the approval must be forwarded to the park owner with an  
406 invoice for payment. Upon approval, the corporation shall issue

15-01283-26

20261550

407 a voucher in the amount of the contract price for relocating the  
408 mobile home. The moving contractor may redeem the voucher within  
409 2 years after the date of issuance from the corporation  
410 following completion of the relocation and upon approval of the  
411 relocation by the mobile home owner.

412 (7) In lieu of collecting payment from the Florida Mobile  
413 Home Relocation Corporation as set forth in subsection (1), a  
414 mobile home owner may abandon the mobile home in the mobile home  
415 park and collect \$5,000 ~~\$1,375~~ for a single section and \$7,000  
416 ~~\$2,750~~ for a multisection from the corporation as long as the  
417 mobile home owner delivers to the park owner the current title  
418 to the mobile home duly endorsed by the owner of record and  
419 valid releases of all liens shown on the title. If a mobile home  
420 owner chooses this option, the park owner must pay ~~shall make~~  
421 ~~payment to~~ the corporation \$1,375 for a single section mobile  
422 home and \$2,750 for a multisection mobile home ~~in an amount~~  
423 ~~equal to the amount the mobile home owner is entitled to under~~  
424 ~~this subsection~~. The mobile home owner's application for funds  
425 under this subsection requires ~~shall require~~ the submission of a  
426 document signed by the park owner stating that the home has been  
427 abandoned under this subsection and that the park owner agrees  
428 to make payment to the corporation in the amount provided herein  
429 ~~to the home owner under this subsection~~. However, in the event  
430 that the required documents are not submitted with the  
431 application, the corporation may consider the facts and  
432 circumstances surrounding the abandonment of the home to  
433 determine whether the mobile home owner is entitled to payment  
434 under pursuant to this subsection. The mobile home owner is not  
435 entitled to any compensation under this subsection if there is a

15-01283-26

20261550

436 pending eviction action for nonpayment of lot rental amount  
437 pursuant to s. 723.061(1)(a) which was filed against him or her  
438 before prior to the mailing date of the notice of change in the  
439 use of the mobile home park given pursuant to s. 723.061(1)(d).

440 Section 11. Paragraph (b) of subsection (6) of section  
441 723.011, Florida Statutes, is amended to read:

442 723.011 Disclosure prior to rental of a mobile home lot;  
443 prospectus, filing, approval.—

444 (6)

445 (b) If a park owner violates this section and a lessee  
446 suffers a substantial loss or damage to the lessee's mobile home  
447 or personal property as a result of flooding, the lessee may  
448 terminate the rental agreement by giving a written notice of  
449 termination to the park owner no later than 30 days after the  
450 date of the damage or loss. Termination of a rental agreement  
451 under this section is effective when the requirements of s.  
452 723.023(1)(e) ~~s. 723.023(5)~~ are met. For the purpose of this  
453 paragraph, the term "substantial loss or damage" means the total  
454 cost of repairs to or replacement of the mobile home and  
455 personal property is 50 percent or more of the mobile home and  
456 personal property's market value on the date the flooding  
457 occurred.

458 Section 12. This act shall take effect July 1, 2026.