

By Senator Bracy Davis

15-01267-26

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A bill to be entitled
An act relating to rent reporting to credit reporting agencies; creating s. 83.684, F.S.; defining the terms "credit reporting agency" and "rent reporting service"; authorizing a landlord to report a tenant's rent payment history to credit reporting agencies under certain circumstances; requiring a landlord to obtain written consent from a tenant to report rent payments; providing requirements for such written consent; requiring a landlord to inform a tenant that he or she is authorized to opt out of rent reporting at any time without penalty; requiring a landlord to provide written notice under certain circumstances; providing notice requirements; authorizing a landlord to charge a specified fee for providing rent reporting services; providing an exception; prohibiting a landlord from taking certain actions; authorizing a landlord to stop reporting a tenant's rental payments under certain circumstances; prohibiting a tenant from participating in rent reporting for a specified amount of time under certain circumstances; prohibiting a landlord from taking retaliatory actions if a tenant refuses, declines, or opts out of rent reporting; providing applicability; providing an effective date.

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

Section 1. Section 83.684, Florida Statutes, is created to read:

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83.684 Rent reporting.—

(1) As used in this section, the term:

(a) "Credit reporting agency" means an agency that, for monetary fees or dues or on a cooperative nonprofit basis, regularly engages, in whole or in part, in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties and that uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. The term includes agencies such as Equifax, Experian, and TransUnion.

(b) "Rent reporting service" means a third-party service that collects, verifies, and reports rent payment information to a credit reporting agency.

(2) A landlord may report a tenant's rent payment history to one or more credit reporting agencies. Rent reporting must be conducted through a rent reporting service, or the landlord may report directly to one or more credit reporting agencies if the landlord complies with all applicable state and federal regulations.

(3) (a) A landlord must obtain written consent to report rent payments from a tenant when a rental agreement is executed or renewed.

(b) The written consent must clearly outline the potential benefits and risks associated with rent reporting, including the possibility of negative reporting if rent payments are not made on time.

(c) A landlord shall inform a tenant that his or her consent for rent reporting is voluntary and that the tenant may

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59 opt out of rent reporting at any time without penalty by mailing
60 or delivering to the landlord a true copy of a written notice to
61 opt out.

62 (d) A landlord must, in accordance with s. 83.56(4),
63 provide a tenant with at least 30 days' written notice if the
64 landlord decides to start or stop reporting rent payments.

65 (4)(a) If a landlord elects to engage in rent reporting,
66 the landlord may require the tenant to pay to the landlord a fee
67 for such service. The fee may not exceed the lesser of the
68 actual cost to the landlord to provide rent reporting services
69 or \$10 per month. If the landlord does not incur actual expenses
70 relating to rent reporting, the landlord may not charge the
71 tenant a fee under this subsection.

72 (b) A landlord may not do any of the following:

73 1. Report the payment or nonpayment of the fee to a credit
74 reporting agency.

75 2. Terminate a tenant's rental agreement because the tenant
76 did not pay the fee.

77 3. Deduct the amount of the fee from the tenant's deposit
78 money or rent.

79 (c) If the fee is unpaid for 30 days or more, the landlord
80 may stop reporting the tenant's rental payments to the credit
81 reporting agency or rent reporting service.

82 (5) If a tenant opts out of rent reporting or the tenant
83 fails to pay a fee for rent reporting services under subsection
84 (4), the tenant may not elect to again participate in rent
85 reporting for at least 6 months after the date on which the
86 landlord received the written request to opt out or the date on
87 which the fee under subsection (4) first becomes due.

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88 (6) A landlord may not terminate a tenant's rental
89 agreement, increase a tenant's rent, or engage in any other form
90 of retaliation solely because a tenant refuses, declines, or
91 opts out of participating in rent reporting.

92 (7) This section does not apply to a landlord of a
93 residential building that contains 15 or fewer dwelling units
94 unless both of the following apply:

95 (a) The landlord owns more than one residential building,
96 regardless of the number of dwelling units in each building.

97 (b) The landlord is:

98 1. A real estate investment trust;

99 2. A corporation; or

100 3. A limited liability company in which at least one member
101 is a corporation.

102 Section 2. This act shall take effect July 1, 2026.