

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Jones, M. offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Section 83.561, Florida Statutes, is created to read:

83.561 Termination of rental agreement upon foreclosure.-

(1) If a tenant is occupying residential premises that are the subject of a foreclosure sale, upon issuance of a certificate of title following the sale, the purchaser named in the certificate of title takes title to the residential premises subject to the rights of the tenant under this section.

(a) The tenant may remain in possession of the premises for 30 days following the date of the purchaser's delivery of a written 30-day notice of termination.

(b) The tenant is entitled to the protections of s. 83.67.

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18       (c) The 30-day notice of termination must be in  
19 substantially the following form:

21                               NOTICE TO TENANT OF TERMINATION

23       You are hereby notified that your rental agreement is  
24 terminated on the date of delivery of this notice and your  
25 occupancy is terminated 30 days following the date of the  
26 delivery of this notice and that I demand possession of the  
27 premises on that ...(date).... If you do not vacate the premises  
28 by this date, I will ask the court for an order allowing me to  
29 remove you and your belongings from the premises. You are  
30 obligated to pay rent during the 30-day period for any amount  
31 that might accrue during that period. Your rent must be  
32 delivered to ...(landlord's name and address)....

34       (d) The 30-day notice of termination shall be delivered in  
35 the same manner as provided in s. 83.56(4).

36       (2) The purchaser at the foreclosure sale may apply to the  
37 court for a writ of possession based upon a sworn affidavit that  
38 the 30-day notice of termination was delivered to the tenant and  
39 the tenant has failed to vacate the premises at the conclusion  
40 of the 30-day period. If the court awards the writ of  
41 possession, the writ must be served on the tenant. The writ of  
42 possession shall be governed by s. 83.62.

43       (3) This section does not apply if:



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70 | a 30-day notice of termination; establishing  
71 | requirements for delivery of the notice; authorizing a  
72 | purchaser to apply for a writ of possession if the  
73 | tenant refuses to vacate the property; providing  
74 | exceptions; providing for construction; providing an  
75 | effective date.