Committee on Judiciary

CS/HB 133 — Fees in Lieu of Security Deposits

by Judiciary Committee and Rep. Mooney and others (CS/SB 494 by Judiciary Committee and Senators DiCeglie and Calatayud)

The bill amends and expands the Florida Residential Landlord and Tenant Act. The bill provides that a landlord may offer a tenant the option to pay a fee, or monthly fees, in lieu of paying the traditional security deposit for a rental unit. The bill also gives the landlord the option to permit a tenant to pay a security deposit in monthly installments.

If the landlord and tenant agree to a fee in lieu of a deposit, the agreement must disclose that:

- The tenant has the option to pay the security deposit instead of the fee at any time.
- The fee is nonrefundable.
- The landlord’s use of the fee to purchase an insurance product does not affect the tenant’s liability for rent, damages, or other amounts owed.
- The landlord has exclusive discretion whether to offer tenants the option to pay a fee in lieu of a deposit.
- A landlord may not submit an insurance claim for a tenant’s unpaid rent, fees, or other obligations or damages to premises until 15 days after the landlord notifies the tenant of the amounts owed.

The bill applies to rental agreements entered into or renewed on or after July 1, 2023.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2023.
Vote: Senate 31-7; House 89-22