

Bill No. CS for CS for SB 442

Amendment No. Barcode 173966

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Latvala moved the following amendment:

Senate Amendment (with title amendment)

On page 12, line 23, through
page 15, line 27, delete those lines

and insert:

Section 6. Section 723.0611, Florida Statutes, is
created to read:

723.0611 Florida Mobile Home Relocation Corporation.--
(1) There is created the Florida Mobile Home
Relocation Corporation. The corporation shall be administered
by a board of directors made up of six members, three of whom
shall be appointed by the Secretary of Business and
Professional Regulation from a list of nominees submitted by
the largest nonprofit association representing mobile home
owners in this state, and three of whom shall be appointed by
the Secretary of Business and Professional Regulation from a
list of nominees submitted by the largest nonprofit
association representing the manufactured housing industry in
this state. All members of the board of directors, including

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1 the chair, shall be appointed to serve for staggered 3-year
2 terms.

3 (2)(a) The board of directors may employ or retain
4 such persons as are necessary to perform the administrative
5 and financial transactions and responsibilities of the
6 corporation and to perform other necessary and proper
7 functions not prohibited by law.

8 (b) Members of the board of directors may be
9 reimbursed from moneys of the corporation for actual and
10 necessary expenses incurred by them as members but may not
11 otherwise be compensated for their services.

12 (c) There shall be no liability on the part of, and no
13 cause of action of any nature shall arise against, agents or
14 employees of the corporation, members of the board of
15 directors of the corporation, or representatives of the
16 Division of Florida Land Sales, Condominiums, and Mobile Homes
17 for any act or omission of the board of directors in the
18 performance of their powers and duties under this section,
19 unless such act or omission by such person is in intentional
20 disregard of the rights of the claimant.

21 (d) Meetings of the board of directors are subject to
22 the provisions of s. 286.011.

23 (3) The board of directors shall:

24 (a) Adopt a plan of operation and articles, bylaws,
25 and operating rules.

26 (b) Establish procedures under which applicants for
27 payments from the corporation may have grievances reviewed by
28 an impartial body and reported to the board of directors.

29 (4) The corporation may:

30 (a) Sue or be sued.

31 (b) Borrow from private finance sources in order to

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1 meet the demands of the relocation program established in s.
2 723.0612.

3 Section 7. Section 723.0612, Florida Statutes, is
4 created to read:

5 723.0612 Change in use; relocation expenses; payments
6 by park owner.--

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

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

16 (b) The amount of \$5,000 for a single-section mobile
17 home or \$10,000 for a multisection mobile home,
18
19 whichever is less. Moving expenses include the cost of taking
20 down, moving, and setting up the mobile home in a new
21 location.

22 (2) A mobile home owner shall not be entitled to
23 compensation under subsection (1) when:

24 (a) The park owner moves a mobile home owner to
25 another space in the mobile home park or to another mobile
26 home park at the park owner's expense;

27 (b) A mobile home owner is vacating the premises and
28 has informed the park owner or manager before notice of the
29 change in use has been given; or

30 (c) A mobile home owner abandons the mobile home as
31 set forth in subsection (7).

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1 (3) Except as provided in subsection (7), in order to
2 obtain payment from the Florida Mobile Home Relocation
3 Corporation, the mobile home owner shall submit to the
4 corporation, with a copy to the park owner, an application for
5 payment which includes:

6 (a) A copy of the notice of eviction due to change in
7 use; and

8 (b) A contract with a moving or towing contractor for
9 the moving expenses for the mobile home.

10 (4) The Florida Mobile Home Relocation Corporation
11 must approve payment within 15 days after receipt of the
12 information set forth in subsection (3), or payment is deemed
13 approved. A copy of the approval must be forwarded to the park
14 owner with an invoice for payment. Upon approval, the
15 corporation shall issue a voucher in the amount of the
16 contract price for relocating the mobile home. The moving
17 contractor may redeem the voucher from the corporation
18 following completion of the relocation and upon approval of
19 the relocation by the mobile home owner.

20 (5) Actions of the Florida Mobile Home Relocation
21 Corporation under this section are not subject to the
22 provisions of chapter 120 but are reviewable only by writ of
23 certiorari in the circuit court in the county in which the
24 claimant resides in the manner and within the time provided by
25 the Florida Rules of Appellate Procedure.

26 (6) This section does not apply to any proceeding in
27 eminent domain under chapter 73 or chapter 74.

28 (7) In lieu of collecting payment from the Florida
29 Mobile Home Relocation Corporation as set forth in subsection
30 (1), a mobile home owner may abandon the mobile home in the
31 mobile home park and collect an amount equal to one-fourth of

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1 meetings are subject to s. 286.011, F.S.;

2 providing for adoption of rules, bylaws, and

3 articles; authorizing the corporation to borrow

4 from private finance sources; creating s.

5 723.0612, F.S.; providing for the payment of

6 relocation expenses from the corporation if a

7 mobile home owner is required to move due to a

8 change in use of the park; providing certain

9 exceptions; specifying procedures for payments

10 upon approval of the corporation; providing

11 that actions by the corporation are not subject

12 to ch. 120, F.S.; providing that s. 723.0612,

13 F.S., does not apply to eminent domain

14 proceedings; providing for abandonment of a

15 mobile home in lieu of payment from the

16 corporation; providing immunity to the

17 corporation when funds are insufficient;

18 prohibiting false statements; providing a

19 penalty; providing an effective date.

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