HB 875

2009

1   A bill to be entitled

2   An act relating to landlord-tenant relations; requiring

3   the landlord or the landlord's agent to notify the

4   mortgagee in writing within a specified period that the

5   premises is being rented as a dwelling unit; requiring the

6   landlord to give a copy of the notice to the tenant at the

7   time the landlord notifies the mortgagee; requiring the

8   landlord or the landlord's agent to notify the mortgagee

9   of any change in the rental agreement; providing that each

10   tenant of the premises is a party to a proceeding to

11   foreclose any note or mortgage covering the premises;

12   requiring that, following a notice of foreclosure, the

13   landlord pay into the registry of the court deposit money

14   received by the landlord; prohibiting any purchaser who

15   receives a certificate of title on a foreclosed premises

16   from taking possession of the premises earlier than 60

17   days after the tenant is given written notice of the

18   foreclosure; requiring the purchaser to notify each tenant

19   by registered mail; requiring a landlord or the landlord's

20   agent to inform any prospective or current tenant of any

21   problem that, to the best of the knowledge of the landlord

22   or the landlord's agent, may cause the premises to be

23   subject to a foreclosure proceeding; providing an

24   effective date.

25

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

27

28   Section 1.   Foreclosure notice provisions for rental

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29 property.--
30   (1)(a) If a premises of which a dwelling unit is a part is
31 subject to a rental agreement and the premises is subject to a
32 note or mortgage, the landlord or the landlord's agent shall
33 notify the mortgagee in writing that the premises is being
34 rented as a dwelling unit. Notice shall be given no later than
35 30 days after the rental agreement has been signed. The notice
36 must state the name of the tenant, the length of time of the
37 rental agreement, and the address of the dwelling unit that is
38 subject to the rental agreement. The landlord or landlord's
39 agent shall give the tenant a copy of the notice at the time the
40 landlord or landlord's agent notifies the mortgagee.
41   (b) The landlord or the landlord's agent shall notify the
42 mortgagee of any change in the rental agreement no later than 14
43 days after learning of the change.
44   (2) Each tenant of the premises is a party to a proceeding
45 to foreclose any note or mortgage covering the premises that is
46 subject to a rental agreement between the tenant and the
47 landlord.
48   (3) Upon receipt of a notice of a foreclosure proceeding
49 regarding the premises that is subject to a rental agreement,
50 the landlord shall pay into the registry of the court any
51 deposit money received by the landlord from the tenant under the
52 rental agreement no later than 14 days after receipt of the
53 notice of a foreclosure proceeding.
54   (4) Any purchaser who receives a certificate of title on a
55 foreclosed premises may take possession of the premises that is
56 subject to a rental agreement no earlier than 60 days after the

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57 | tenant has been given written notice of the foreclosure. The
58 | notice must state that the premises has been sold and the
59 | purchaser desires to take possession of the premises. The
60 | purchaser must give notice to each tenant by registered mail,
61 | return receipt requested.
62 | (5) A landlord or the landlord's agent who rents a
63 | premises that is subject to a note or mortgage must inform a
64 | prospective or current tenant if the premises is in a
65 | foreclosure proceeding or whether there are problems that, to
66 | the best of the knowledge of the landlord or the landlord's
67 | agent, may cause the premises to be subject to a foreclosure
68 | proceeding.
69 | Section 2. This act shall take effect July 1, 2009.

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