A bill to be entitled
An act relating to housing; amending s. 125.01055, F.S.; authorizing a board of county commissioners to
approve development of affordable housing on any
parcel zoned for residential, commercial, or
industrial use; amending s. 163.31771, F.S.; revising
legislative findings; requiring local governments to
adopt ordinances that allow accessory dwelling units
in any area zoned for single-family residential use;
amending s. 163.31801, F.S.; requiring counties,
municipalities, and special districts to include
certain data relating to impact fees in their annual
financial reports; amending s. 166.04151, F.S.;
authorizing governing bodies of municipalities to
approve the development of affordable housing on any
parcel zoned for residential, commercial, or
industrial use; amending s. 212.05, F.S.; specifying
the percentage of the sales price of certain mobile
homes which is subject to sales tax; providing a sales
tax exemption for certain mobile homes; amending s.
212.06, F.S.; revising the definition of the term
"fixtures" to include certain mobile homes; amending
s. 320.77, F.S.; revising a certification requirement
for mobile home dealer applicants relating to the
applicant's business location; amending s. 320.771,
F.S.; exempting certain recreational vehicle dealer applicants from a garage liability insurance requirement; amending s. 320.822, F.S.; revising the definition of the term "code"; amending s. 320.8232, F.S.; revising applicable standards for the repair and remodeling of mobile and manufactured homes; amending s. 367.022, F.S.; exempting certain mobile home park and mobile home subdivision owners from regulation by the Florida Public Service Commission relating to water and wastewater service; revising an exemption from regulation for certain water and wastewater service resellers; amending s. 420.5087, F.S.; revising the criteria used by a review committee when evaluating and selecting specified applications for state apartment incentive loans; amending s. 420.5095, F.S.; renaming the Community Workforce Housing Innovation Pilot Program as the Community Workforce Housing Loan Program; requiring the program to provide workforce housing; revising the definition of the term "workforce housing"; deleting the definition of the term "public-private partnership"; authorizing the Florida Housing Finance Corporation to provide loans under the program to applicants for construction of workforce housing; requiring the corporation to establish a certain loan application process; deleting
provisions requiring the corporation to provide incentives for local governments to use certain funds; requiring projects to receive priority consideration for funding under certain circumstances; deleting a provision providing for the expedition of local government comprehensive plan amendments to implement a program project; requiring that the corporation award loans at a specified interest rate and for a limited term; conforming provisions to changes made by the act; amending s. 420.531, F.S.; specifying that technical support provided to local governments and community-based organizations includes implementation of the State Apartment Incentive Loan Program; requiring the entity providing training and technical assistance to convene and administer biannual regional workshops; requiring such entity to annually compile and submit certain information to the Legislature and the corporation by a specified date; amending s. 420.9073, F.S.; authorizing the corporation to withhold a certain portion of funds distributed from the Local Government Housing Trust Fund to be used for certain transitional housing; prohibiting such funds from being used for specified purposes; requiring the corporation to consult with the Department of Children and Families to create minimum criteria for such
housing; providing for the distribution of withheld funds; amending s. 420.9075, F.S.; revising requirements for reports submitted by counties and certain municipalities to the corporation; amending s. 420.9076, F.S.; revising the membership of local affordable housing advisory committees beginning on a specified date; requiring the committees to perform specified duties annually instead of triennially; requiring locally elected officials serving on advisory committees, or their designees, to attend biannual regional workshops; providing a penalty; amending s. 723.011, F.S.; providing construction relating to rental agreements and tenancies; providing that a mobile home owner, to become an approved tenant, may be required to install permanent improvements as disclosed in the mobile home park owner's prospectus; amending s. 723.012, F.S.; authorizing mobile home park owners to make certain prospectus amendments; providing that certain improvements and changes may be, but are not required to be, disclosed by amendment to the prospectus; authorizing park owners to amend prospectuses to provide certain additional facilities and services to the mobile home park under certain circumstances; conforming a provision to changes made by the act;
amending s. 723.023, F.S.; adding general obligations for mobile home owners; amending s. 723.031, F.S.; specifying a requirement for disclosing and agreeing to a mobile home lot rental increase; revising construction relating to a park owner's disclosure of certain taxes and assessments; amending s. 723.037, F.S.; authorizing mobile home park owners to give notice of lot rental increases for multiple anniversary dates in one notice; providing construction; specifying the composition of a certain negotiating committee; specifying the lot rental amount increases the committee must address in meetings with the park owner or subdivision developer; amending s. 723.041, F.S.; providing that a mobile home park damaged or destroyed due to natural forces may be rebuilt with the same density as previously approved, permitted, or built; providing construction; amending s. 723.042, F.S.; conforming a provision to changes made by the act; amending s. 723.059, F.S.; deleting certain purchasers' rights to assume the remainder of a rental agreement term; requiring certain purchasers to enter into a new lot rental agreement with the park owner; revising requirements for the disclosure of lot rental amounts for new tenancies; amending s. 723.061, F.S.; revising a
requirement related to mailing eviction notices;
specifying the waiver and nonwaiver of certain rights
of the park owner under certain circumstances;
requiring the accounting at final hearing of rents
received; requiring a tenant defending certain actions
by a landlord to comply with certain requirements;
amending s. 723.063, F.S.; revising procedures and
requirements for mobile home owners and revising
construction relating to park owners' actions for rent
or possession; revising conditions under which a park
owner may apply to a court for disbursement of certain
funds; reenacting s. 420.507(22)(i), F.S., relating to
powers of the Florida Housing Finance Corporation, to
incorporate the amendment made to s. 420.5087, F.S.,
in a reference thereto; reenacting s. 193.018(2),
F.S., relating to land owned by a community land trust
used to provide affordable housing, to incorporate the
amendment made to s. 420.5095, F.S., in a reference
thereto; providing an effective date.

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

Section 1. Subsection (4) is added to section 125.01055,
Florida Statutes, to read:

125.01055 Affordable housing.—
(4) Notwithstanding any other law, local ordinance, or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, on any parcel zoned for residential, commercial, or industrial use.

Section 2. Subsections (1), (3), and (4) of section 163.31771, Florida Statutes, are amended to read:

163.31771 Accessory dwelling units.—

(1) The Legislature finds that the median price of homes in this state has increased steadily over the last decade and at a greater rate of increase than the median income in many urban areas. The Legislature finds that the cost of rental housing has also increased steadily and the cost often exceeds an amount that is affordable to extremely-low-income, very-low-income, low-income, or moderate-income persons and has resulted in a critical shortage of affordable rentals in many urban areas in the state. This shortage of affordable rentals constitutes a threat to the health, safety, and welfare of the residents of the state. Therefore, the Legislature finds that it serves an important public purpose to require the permitting of accessory dwelling units in single-family residential areas in order to increase the availability of affordable rentals for extremely-low-income, very-low-income, low-income, or moderate-income persons.

(3) Each Upon a finding by a local government that there
is a shortage of affordable rentals within its jurisdiction, the local government shall may adopt an ordinance to allow accessory dwelling units in any area zoned for single-family residential use.

(4) If the local government adopts an ordinance under this section, An application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.

Section 3. Subsection (10) is added to section 163.31801, Florida Statutes, to read:

163.31801 Impact fees; short title; intent; minimum requirements; audits; challenges.—

(10) In addition to the items that must be reported in the annual financial reports under s. 218.32, each county, municipality, and special district must report all of the following data on each impact fee charged:

(a) The specific purpose of the impact fee, including the specific infrastructure needs to be met such as transportation, parks, water, sewer, and schools.

(b) The impact fee schedule policy describing the method of calculating impact fees, such as flat fees, tiered fees based on the number of bedrooms, or tiered fees based on the square footage.
(c) The amount assessed for each purpose and for each type of dwelling.

(d) The total amount of impact fees charged by type of dwelling.

Section 4. Subsection (4) is added to section 166.04151, Florida Statutes, to read:

166.04151 Affordable housing.—

(4) Notwithstanding any other law, local ordinance, or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, on any parcel zoned for residential, commercial, or industrial use.

Section 5. Paragraph (a) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, including the business of making mail order sales, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and
payable as follows:

(a) 1.a. At the rate of 6 percent of the sales price of each item or article of tangible personal property when sold at retail in this state, computed on each taxable sale for the purpose of remitting the amount of tax due the state, and including each and every retail sale.

b. Each occasional or isolated sale of an aircraft, boat, mobile home, or motor vehicle of a class or type that which is required to be registered, licensed, titled, or documented in this state or by the United States Government shall be subject to tax at the rate provided in this paragraph. A mobile home shall be assessed sales tax at a rate of 6 percent on 50 percent of the sales price of the mobile home, if subject to sales tax as tangible personal property. However, a mobile home is not subject to sales tax if the mobile home will be permanently affixed to the land and the purchaser signs an affidavit stating that he or she intends to seek an "RP" series sticker pursuant to s. 320.0815(2). The department shall by rule adopt any nationally recognized publication for valuation of used motor vehicles as the reference price list for any used motor vehicle which is required to be licensed pursuant to s. 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party to an occasional or isolated sale of such a vehicle reports to the tax collector a sales price that which is less than 80 percent of the average loan price for the specified model and year of such vehicle as
listed in the most recent reference price list, the tax levied under this paragraph shall be computed by the department on such average loan price unless the parties to the sale have provided to the tax collector an affidavit signed by each party, or other substantial proof, stating the actual sales price. Any party to such sale who reports a sales price less than the actual sales price is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department shall collect or attempt to collect from such party any delinquent sales taxes. In addition, such party shall pay any tax due and any penalty and interest assessed plus a penalty equal to twice the amount of the additional tax owed. Notwithstanding any other provision of law, the Department of Revenue may waive or compromise any penalty imposed pursuant to this subparagraph.

2. This paragraph does not apply to the sale of a boat or aircraft by or through a registered dealer under this chapter to a purchaser who, at the time of taking delivery, is a nonresident of this state, does not make his or her permanent place of abode in this state, and is not engaged in carrying on in this state any employment, trade, business, or profession in which the boat or aircraft will be used in this state, or is a corporation none of the officers or directors of which is a resident of, or makes his or her permanent place of abode in, this state, or is a noncorporate entity that has no individual vested with authority to participate in the management,
direction, or control of the entity's affairs who is a resident of, or makes his or her permanent abode in, this state. For purposes of this exemption, either a registered dealer acting on his or her own behalf as seller, a registered dealer acting as broker on behalf of a seller, or a registered dealer acting as broker on behalf of the purchaser may be deemed to be the selling dealer. This exemption shall not be allowed unless:

a. The purchaser removes a qualifying boat, as described in sub-subparagraph f., from the state within 90 days after the date of purchase or extension, or the purchaser removes a nonqualifying boat or an aircraft from this state within 10 days after the date of purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of the repairs or alterations; or if the aircraft will be registered in a foreign jurisdiction and:

   (I) Application for the aircraft's registration is properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase;

   (II) The purchaser removes the aircraft from the state to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority; and

   (III) The aircraft is operated in the state solely to remove it from the state to a foreign jurisdiction.
For purposes of this sub-subparagraph, the term "foreign jurisdiction" means any jurisdiction outside of the United States or any of its territories;

   b. The purchaser, within 30 days from the date of departure, provides the department with written proof that the purchaser licensed, registered, titled, or documented the boat or aircraft outside the state. If such written proof is unavailable, within 30 days the purchaser shall provide proof that the purchaser applied for such license, title, registration, or documentation. The purchaser shall forward to the department proof of title, license, registration, or documentation upon receipt;

   c. The purchaser, within 10 days of removing the boat or aircraft from Florida, furnishes the department with proof of removal in the form of receipts for fuel, dockage, slippage, tie-down, or hangaring from outside of Florida. The information so provided must clearly and specifically identify the boat or aircraft;

   d. The selling dealer, within 5 days of the date of sale, provides to the department a copy of the sales invoice, closing statement, bills of sale, and the original affidavit signed by the purchaser attesting that he or she has read the provisions of this section;

   e. The seller makes a copy of the affidavit a part of his or her record for as long as required by s. 213.35; and
 Unless the nonresident purchaser of a boat of 5 net tons of admeasurement or larger intends to remove the boat from this state within 10 days after the date of purchase or when the boat is repaired or altered, within 20 days after completion of the repairs or alterations, and the nonresident purchaser applies to the selling dealer for a decal which authorizes 90 days after the date of purchase for removal of the boat. The nonresident purchaser of a qualifying boat may apply to the selling dealer within 60 days after the date of purchase for an extension decal that authorizes the boat to remain in this state for an additional 90 days, but not more than a total of 180 days, before the nonresident purchaser is required to pay the tax imposed by this chapter. The department is authorized to issue decals in advance to dealers. The number of decals issued in advance to a dealer shall be consistent with the volume of the dealer’s past sales of boats which qualify under this sub-subparagraph. The selling dealer or his or her agent shall mark and affix the decals to qualifying boats in the manner prescribed by the department, before delivery of the boat.

(I) The department is hereby authorized to charge dealers a fee sufficient to recover the costs of decals issued, except the extension decal shall cost $425.

(II) The proceeds from the sale of decals will be deposited into the administrative trust fund.

(III) Decals shall display information to identify the
boat as a qualifying boat under this sub-subparagraph, including, but not limited to, the decal's date of expiration.

(IV) The department is authorized to require dealers who purchase decals to file reports with the department and may prescribe all necessary records by rule. All such records are subject to inspection by the department.

(V) Any dealer or his or her agent who issues a decal falsely, fails to affix a decal, mismarks the expiration date of a decal, or fails to properly account for decals will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s. 775.083.

(VI) Any nonresident purchaser of a boat who removes a decal before permanently removing the boat from the state, or defaces, changes, modifies, or alters a decal in a manner affecting its expiration date before its expiration, or who causes or allows the same to be done by another, will be considered prima facie to have committed a fraudulent act to evade the tax and will be liable for payment of the tax plus a mandatory penalty of 200 percent of the tax, and shall be liable for fine and punishment as provided by law for a conviction of a misdemeanor of the first degree, as provided in s. 775.082 or s.
775.083.

(VII) The department is authorized to adopt rules necessary to administer and enforce this subparagraph and to publish the necessary forms and instructions.

(VIII) The department is hereby authorized to adopt emergency rules pursuant to s. 120.54(4) to administer and enforce the provisions of this subparagraph.

If the purchaser fails to remove the qualifying boat from this state within the maximum 180 days after purchase or a nonqualifying boat or an aircraft from this state within 10 days after purchase or, when the boat or aircraft is repaired or altered, within 20 days after completion of such repairs or alterations, or permits the boat or aircraft to return to this state within 6 months from the date of departure, except as provided in s. 212.08(7)(fff), or if the purchaser fails to furnish the department with any of the documentation required by this subparagraph within the prescribed time period, the purchaser shall be liable for use tax on the cost price of the boat or aircraft and, in addition thereto, payment of a penalty to the Department of Revenue equal to the tax payable. This penalty shall be in lieu of the penalty imposed by s. 212.12(2).

The maximum 180-day period following the sale of a qualifying boat tax-exempt to a nonresident may not be tolled for any reason.
Section 6. Paragraph (b) of subsection (14) of section 212.06, Florida Statutes, is amended to read:

212.06 Sales, storage, use tax; collectible from dealers; "dealer" defined; dealers to collect from purchasers; legislative intent as to scope of tax.—

(14) For the purpose of determining whether a person is improving real property, the term:

(b) "Fixtures" means items that are an accessory to a building, other structure, or land and that do not lose their identity as accessories when installed but that do become permanently attached to realty. However, the term does not include the following items, whether or not such items are attached to real property in a permanent manner:

1. Property of a type that must be registered, licensed, titled, or documented by this state or by the United States Government, including, but not limited to, mobile homes, except the term includes mobile homes assessed as real property or that will be qualified and taxed as real property pursuant to s. 320.0815(2).—

2. Industrial machinery or equipment.

For purposes of this paragraph, industrial machinery or equipment is not limited to machinery and equipment used to manufacture, process, compound, or produce tangible personal property. For an item to be considered a fixture, it is not
necessary that the owner of the item also own the real property
to which it is attached.

Section 7. Paragraph (h) of subsection (3) of section
320.77, Florida Statutes, is amended to read:

320.77 License required of mobile home dealers.—
(3) APPLICATION.—The application for such license shall be
in the form prescribed by the department and subject to such
rules as may be prescribed by it. The application shall be
verified by oath or affirmation and shall contain:

(h) Certification by the applicant:

1. That the location is a permanent one, not a tent or a
temporary stand or other temporary quarters; and,

2. Except in the case of a mobile home broker, that the
location affords sufficient unoccupied space to display store
all mobile homes offered and displayed for sale. A space to
display a manufactured home as a model home satisfies this
requirement; and that The location must be is a suitable place
in which the applicant can in good faith carry on business and
keep and maintain books, records, and files necessary to conduct
such business, which must will be available at all reasonable
hours to inspection by the department or any of its inspectors
or other employees.

This paragraph does subsection shall not preclude a licensed
mobile home dealer from displaying and offering for sale mobile
homes in a mobile home park.

The department shall, if it deems necessary, cause an investigation to be made to ascertain if the facts set forth in the application are true and shall not issue a license to the applicant until it is satisfied that the facts set forth in the application are true.

Section 8. Paragraph (j) of subsection (3) of section 320.771, Florida Statutes, is amended to read:

320.771 License required of recreational vehicle dealers.—

(3) APPLICATION.—The application for such license shall be in the form prescribed by the department and subject to such rules as may be prescribed by it. The application shall be verified by oath or affirmation and shall contain:

(j) A statement that the applicant is insured under a garage liability insurance policy, which shall include, at a minimum, $25,000 combined single-limit liability coverage, including bodily injury and property damage protection, and $10,000 personal injury protection, if the applicant is to be licensed as a dealer in, or intends to sell, recreational vehicles. However, a garage liability policy is not required for the licensure of a mobile home dealer who sells only park trailers.

The department shall, if it deems necessary, cause an
investigation to be made to ascertain if the facts set forth in the application are true and shall not issue a license to the applicant until it is satisfied that the facts set forth in the application are true.

Section 9. Paragraph (c) of subsection (2) of section 320.822, Florida Statutes, is amended to read:

320.822 Definitions; ss. 320.822-320.862.—In construing ss. 320.822-320.862, unless the context otherwise requires, the following words or phrases have the following meanings:

(2) "Code" means the appropriate standards found in:

(c) The Mobile and Manufactured Home Repair and Remodeling Code and the Used Recreational Vehicle Code.

Section 10. Subsection (2) of section 320.8232, Florida Statutes, is amended to read:

320.8232 Establishment of uniform standards for used recreational vehicles and repair and remodeling code for mobile homes.—

(2) The Mobile and Manufactured Home provisions of the Repair and Remodeling Code must be a uniform code, must ensure safe and livable housing, and may shall not be more stringent than those standards required to be met in the manufacture of mobile homes. Such code must provisions shall include, but not be limited to, standards for structural adequacy, plumbing, heating, electrical systems, and fire and life safety. All repairs and remodeling of mobile and

CODING: Words stricken are deletions; words underlined are additions.
manufactured homes must be performed in accordance with department rules.

Section 11. Subsections (5) and (9) of section 367.022, Florida Statutes, are amended to read:

367.022 Exemptions.—The following are not subject to regulation by the commission as a utility nor are they subject to the provisions of this chapter, except as expressly provided:

(5) Landlords providing service to their tenants without specific compensation for the service. This exemption includes an owner of a mobile home park or a mobile home subdivision, as those terms are defined in s. 723.003, who provides service to any person who:

(a) Leases a lot;
(b) Leases a mobile home and a lot; or
(c) Owns a lot in a mobile home subdivision.

(9) Any person who resells water and wastewater service to his or her tenants or to individually metered residents for a fee that does not exceed the actual purchase price of the water and wastewater service plus the actual cost of meter reading and billing, not to exceed 9 percent of the actual cost of service.

Section 12. Paragraph (c) of subsection (6) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated
mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(6) On all state apartment incentive loans, except loans made to housing communities for the elderly to provide for lifesafty, building preservation, health, sanitation, or security-related repairs or improvements, the following provisions shall apply:

(c) The corporation shall provide by rule for the establishment of a review committee for the competitive evaluation and selection of applications submitted in this program, including, but not limited to, the following criteria:

1. Tenant income and demographic targeting objectives of the corporation.

2. Targeting objectives of the corporation which will ensure an equitable distribution of loans between rural and urban areas.

3. Sponsor's agreement to reserve the units for persons or families who have incomes below 50 percent of the state or local median income, whichever is higher, for a time period that exceeds the minimum required by federal law or this part.

4. Sponsor's agreement to reserve more than:
   a. Twenty percent of the units in the project for persons or families who have incomes that do not exceed 50 percent of the state or local median income, whichever is higher; or
b. Forty percent of the units in the project for persons
or families who have incomes that do not exceed 60 percent of
the state or local median income, whichever is higher, without
requiring a greater amount of the loans as provided in this
section.

5. Provision for tenant counseling.

6. Sponsor's agreement to accept rental assistance
certificates or vouchers as payment for rent.

7. Projects requiring the least amount of a state
apartment incentive loan compared to overall project cost,
except that the share of the loan attributable to units serving
extremely-low-income persons must be excluded from this
requirement.

8. Local government contributions and local government
comprehensive planning and activities that promote affordable
housing and policies that promote access to public
transportation, reduce the need for onsite parking, and expedite
permits for affordable housing projects.


10. Economic viability of the project.

11. Commitment of first mortgage financing.

12. Sponsor's prior experience.

13. Sponsor's ability to proceed with construction.

14. Projects that directly implement or assist welfare-to-
work transitioning.
15. Projects that reserve units for extremely-low-income persons.

16. Projects that include green building principles, storm-resistant construction, or other elements that reduce long-term costs relating to maintenance, utilities, or insurance.

17. Job-creation rate of the developer and general contractor, as provided in s. 420.507(47).

Section 13. Section 420.5095, Florida Statutes, is amended to read:

420.5095 Community Workforce Housing Loan Innovation Pilot Program.—

(1) The Legislature finds and declares that recent rapid increases in the median purchase price of a home and the cost of rental housing have far outstripped the increases in median income in the state, preventing essential services personnel from living in the communities where they serve and thereby creating the need for innovative solutions for the provision of housing opportunities for essential services personnel.

(2) The Community Workforce Housing Loan Innovation Pilot Program is created to provide affordable rental and home ownership community workforce housing for persons essential services personnel affected by the high cost of housing, using regulatory incentives and state and local funds to promote local public-private partnerships and leverage government and private...
(3) For purposes of this section, the term:

(a) "workforce housing" means housing affordable to natural persons or families whose total annual household income does not exceed 80 percent of the area median income, adjusted for household size, or 120 percent of area median income, adjusted for household size, in areas of critical state concern designated under s. 380.05, for which the Legislature has declared its intent to provide affordable housing, and areas that were designated as areas of critical state concern for at least 20 consecutive years before removal of the designation.

(b) "Public-private partnership" means any form of business entity that includes substantial involvement of at least one county, one municipality, or one public sector entity, such as a school district or other unit of local government in which the project is to be located, and at least one private sector for-profit or not-for-profit business or charitable entity, and may be any form of business entity, including a joint venture or contractual agreement.

(4) The Florida Housing Finance Corporation may be authorized to provide loans under the Community Workforce Housing Innovation Pilot program to an applicant for construction or rehabilitation of workforce housing in eligible areas. This funding is intended to be used resources.
with other public and private sector resources.

(5) The corporation shall establish a loan application process under s. 420.5087 by rule which includes selection criteria, an application review process, and a funding process. The corporation shall also establish an application review committee that may include up to three private citizens representing the areas of housing or real estate development, banking, community planning, or other areas related to the development or financing of workforce and affordable housing.

(a) The selection criteria and application review process must include a procedure for curing errors in the loan applications which do not make a substantial change to the proposed project.

(b) To achieve the goals of the pilot program, the application review committee may approve or reject loan applications or responses to questions raised during the review of an application due to the insufficiency of information provided.

(c) The application review committee shall make recommendations concerning program participation and funding to the corporation's board of directors.

(d) The board of directors shall approve or reject loan applications, determine the tentative loan amount available to each applicant, and rank all approved applications.

(e) The board of directors shall decide which approved
applicants will become program participants and determine the maximum loan amount for each program participant.

(6) The corporation shall provide incentives for local governments in eligible areas to use local affordable housing funds, such as those from the State Housing Initiatives Partnership Program, to assist in meeting the affordable housing needs of persons eligible under this program. Local governments are authorized to use State Housing Initiative Partnership Program funds for persons or families whose total annual household income does not exceed:

(a) One hundred and forty percent of the area median income, adjusted for household size; or

(b) One hundred and fifty percent of the area median income, adjusted for household size, in areas that were designated as areas of critical state concern for at least 20 consecutive years prior to the removal of the designation and in areas of critical state concern, designated under s. 380.05, for which the Legislature has declared its intent to provide affordable housing.

(7) Funding shall be targeted to innovative projects in areas where the disparity between the area median income and the median sales price for a single-family home is greatest, and where population growth as a percentage rate of increase is greatest. The corporation may also fund projects in areas where innovative regulatory and financial incentives are made
available. The corporation shall fund at least one eligible project in as many counties and regions of the state as is practicable, consistent with program goals.

(6)(8) Projects must be given shall receive priority consideration for funding if where:

(a) The local jurisdiction has adopted, or is committed to adopting, appropriate regulatory incentives, or the local jurisdiction or public-private partnership has adopted or is committed to adopting local contributions or financial strategies, or other funding sources to promote the development and ongoing financial viability of such projects. Local incentives include such actions as expediting review of development orders and permits, supporting development near transportation hubs and major employment centers, and adopting land development regulations designed to allow flexibility in densities, use of accessory units, mixed-use developments, and flexible lot configurations. Financial strategies include such actions as promoting employer-assisted housing programs, providing tax increment financing, and providing land.

(b) Projects are innovative and include new construction or rehabilitation; mixed-income housing; commercial and housing mixed-use elements; innovative design; green building principles; storm-resistant construction; or other elements that reduce long-term costs relating to maintenance, utilities, or insurance and promote homeownership. The program funding may not
exceed the costs attributable to the portion of the project that is set aside to provide housing for the targeted population.

(b)(c) The projects that set aside at least 50 percent of the units for workforce housing and at least 50 percent for essential services personnel and for projects that require the least amount of program funding compared to the overall housing costs for the project.

(9) Notwithstanding s. 163.3184(4)(b)-(d), any local government comprehensive plan amendment to implement a Community Workforce Housing Innovation Pilot Program project found consistent with this section shall be expedited as provided in this subsection. At least 30 days prior to adopting a plan amendment under this subsection, the local government shall notify the state land planning agency of its intent to adopt such an amendment, and the notice shall include its evaluation related to site suitability and availability of facilities and services. The public notice of the hearing required by s. 163.3184(11)(b)2. shall include a statement that the local government intends to use the expedited adoption process authorized by this subsection. Such amendments shall require only a single public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(4)(c). Any further proceedings shall be governed by s. 163.3184(5)-(13).

(10) The processing of approvals of development orders or
development permits, as defined in s. 163.3164, for innovative community workforce housing projects shall be expedited.

(7) The corporation shall award loans with interest rates set at 1 to 3 percent interest rate for a term that does not exceed 15 years, which may be made forgivable when long-term affordability is provided and when at least 80 percent of the units are set aside for workforce housing and at least 50 percent of the units are set aside for essential services personnel.

(12) All eligible applications shall:

(a) For home ownership, limit the sales price of a detached unit, townhome, or condominium unit to not more than 90 percent of the median sales price for that type of unit in that county, or the statewide median sales price for that type of unit, whichever is higher, and require that all eligible purchasers of home ownership units occupy the homes as their primary residence.

(b) For rental units, restrict rents for all workforce housing serving those with incomes at or below 120 percent of area median income at the appropriate income level using the restricted rents for the federal low-income housing tax credit program and, for workforce housing units serving those with incomes above 120 percent of area median income, restrict rents to those established by the corporation, not to exceed 30 percent of the maximum household income adjusted to unit size.
(e) Demonstrate that the applicant is a public-private partnership in an agreement, contract, partnership agreement, memorandum of understanding, or other written instrument signed by all the project partners.

(d) Have grants, donations of land, or contributions from the public-private partnership or other sources collectively totaling at least 10 percent of the total development cost or $2 million, whichever is less. Such grants, donations of land, or contributions must be evidenced by a letter of commitment, agreement, contract, deed, memorandum of understanding, or other written instrument at the time of application. Grants, donations of land, or contributions in excess of 10 percent of the development cost shall increase the application score.

(e) Demonstrate how the applicant will use the regulatory incentives and financial strategies outlined in subsection (8) from the local jurisdiction in which the proposed project is to be located. The corporation may consult with the Department of Economic Opportunity in evaluating the use of regulatory incentives by applicants.

(f) Demonstrate that the applicant possesses title to or site control of land and evidences availability of required infrastructure.

(g) Demonstrate the applicant's affordable housing development and management experience.

(h) Provide any research or facts available supporting the
demand and need for rental or home ownership workforce housing
for eligible persons in the market in which the project is
proposed.

(13) Projects may include manufactured housing constructed
after June 1994 and installed in accordance with mobile home
installation standards of the Department of Highway Safety and
Motor Vehicles.

(8)(14) The corporation may adopt rules pursuant to ss.
120.536(1) and 120.54 to implement this section.

(15) The corporation may use a maximum of 2 percent of the
annual program appropriation for administration and compliance
monitoring.

(16) The corporation shall review the success of the Community
Workforce Housing Innovation Pilot Program to ascertain whether
the projects financed by the program are useful in meeting the
housing needs of eligible areas and shall include its findings
in the annual report required under s. 420.511(3).

Section 14. Section 420.531, Florida Statutes, is amended
to read:

420.531 Affordable Housing Catalyst Program.—

(1) The corporation shall operate the Affordable Housing
Catalyst Program for the purpose of securing the expertise
necessary to provide specialized technical support to local
governments and community-based organizations to implement the
HOME Investment Partnership Program, State Apartment Incentive
Loan Program, State Housing Initiatives Partnership Program, and other affordable housing programs. To the maximum extent feasible, the entity to provide the necessary expertise must be recognized by the Internal Revenue Service as a nonprofit tax-exempt organization. It must have as its primary mission the provision of affordable housing training and technical assistance, an ability to provide training and technical assistance statewide, and a proven track record of successfully providing training and technical assistance under the Affordable Housing Catalyst Program. The technical support shall, at a minimum, include training relating to the following key elements of the partnership programs:

(a) Formation of local and regional housing partnerships as a means of bringing together resources to provide affordable housing.

(b) Implementation of regulatory reforms to reduce the risk and cost of developing affordable housing.

(c) Implementation of affordable housing programs included in local government comprehensive plans.

(d) Compliance with requirements of federally funded housing programs.

(2) In consultation with the corporation, the entity providing statewide training and technical assistance shall convene and administer biannual regional workshops for the locally elected officials serving on affordable housing advisory
committees as provided in s. 420.9076. The regional workshops
may be conducted through teleconferencing or other technological
means and must include processes and programming that facilitate
peer-to-peer identification and sharing of best affordable
housing practices among the locally elected officials. Annually,
the entity providing statewide training and technical assistance
must compile calendar year reports summarizing the
deliberations, actions, and recommendations of each region, as
well as the attendance records of locally elected officials, and
must submit such reports to the President of the Senate, the
Speaker of the House of Representatives, and the corporation by
March 31 of the following year.

Section 15. Subsection (7) of section 420.9073, Florida
Statutes, is renumbered as subsection (8), and a new subsection
(7) is added to that section to read:

420.9073 Local housing distributions.—
(7) Notwithstanding subsections (1)-(4), the corporation
may withhold up to 5 percent of the total amount distributed
each fiscal year from the Local Government Housing Trust Fund to
provide additional funding to counties and eligible
municipalities for the construction of transitional housing for
persons aging out of foster care. Funds may not be used for the
design or planning of transitional housing and the housing must
be constructed on campus. The corporation must consult with the
Department of Children and Families to create minimum criteria
for such housing. Any portion of the withheld funds not
distributed or committed by the end of the fiscal year shall be
distributed as provided in subsections (1) and (2).

Section 16. Paragraph (j) is added to subsection (10) of
section 420.9075, Florida Statutes, to read:

420.9075 Local housing assistance plans; partnerships.—

(10) Each county or eligible municipality shall submit to
the corporation by September 15 of each year a report of its
affordable housing programs and accomplishments through June 30
immediately preceding submittal of the report. The report shall
be certified as accurate and complete by the local government's
chief elected official or his or her designee. Transmittal of
the annual report by a county's or eligible municipality's chief
elected official, or his or her designee, certifies that the
local housing incentive strategies, or, if applicable, the local
housing incentive plan, have been implemented or are in the
process of being implemented pursuant to the adopted schedule
for implementation. The report must include, but is not limited
to:

(j) The number of affordable housing applications that
were submitted, the number of such applications that were
approved, and the number of such applications that were denied.

Section 17. Subsections (2) and (4) of section 420.9076,
Florida Statutes, are amended, and subsection (10) is added to
that section, to read:
420.9076 Adoption of affordable housing incentive strategies; committees.—

(2) The governing board of a county or municipality shall appoint the members of the affordable housing advisory committee. Pursuant to the terms of any interlocal agreement, a county and municipality may create and jointly appoint an advisory committee. The local action adopted pursuant to s. 420.9072 which creates the advisory committee and appoints the advisory committee members must name at least 8 but not more than 11 committee members and specify their terms. Effective October 1, 2020, the committee must consist of one locally elected official from each county or municipality participating in the State Housing Initiatives Partnership Program and one representative from at least six of the categories below:

(a) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.

(b) A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.

(c) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.

(d) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.

(e) A citizen who is actively engaged as a for-profit provider of affordable housing.
(f) A citizen who is actively engaged as a not-for-profit provider of affordable housing.

(g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.

(h) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.

(i) A citizen who resides within the jurisdiction of the local governing body making the appointments.

(j) A citizen who represents employers within the jurisdiction.

(k) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

(4) Annually Triennially, the advisory committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable housing; or the
adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit an annual report to the local governing body and to the entity providing statewide training and technical assistance for the Affordable Housing Catalyst Program which that includes recommendations on, and triennially thereafter evaluates the implementation of, affordable housing incentives in the following areas:

(a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.

(b) All allowable fee waivers provided The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for the development or construction of affordable housing.

(c) The allowance of flexibility in densities for affordable housing.

(d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

(e) The allowance of Affordable accessory residential units in residential zoning districts.
(f) The reduction of parking and setback requirements for affordable housing.

(g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

(h) The modification of street requirements for affordable housing.

(i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

(k) The support of development near transportation hubs and major employment centers and mixed-use developments.

The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program shall perform an initial review but may elect to not perform the annual triennial review.

(10) The locally elected official serving on an advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program as provided in s.
420.531(2). If the locally elected official or locally elected
designee fails to attend three consecutive regional workshops,
the corporation may withhold funds pending the person's
attendance at the next regularly scheduled biannual meeting.

Section 18. Subsections (3) and (4) of section 723.011,
Florida Statutes, are amended to read:

723.011 Disclosure prior to rental of a mobile home lot;
prospectus, filing, approval.—

(3) The prospectus or offering circular, together with its
exhibits, is a disclosure document intended to afford protection
to homeowners and prospective homeowners in the mobile home
park. The purpose of the document is to disclose the
representations of the mobile home park owner concerning the
operations of the mobile home park. The rental agreement,
including the prospectus and rules and regulations, establishes
the terms and conditions of a homeowner's tenancy. The tenancy
must be for the duration of the tenant's ownership of the mobile
home, with a right of survivorship by the tenant's surviving
spouse, unless terminated pursuant to s. 723.061.

(4) With regard to a tenancy in existence on the effective
date of this chapter, the prospectus or offering circular
offered by the mobile home park owner must contain the
same terms and conditions as rental agreements offered to all
other mobile home owners residing in the park on the effective
date of this act, excepting only rent variations based upon lot
location and size, and may not require any mobile home owner to install any permanent improvements, except that the mobile home owner, to become an approved tenant, may be required to install permanent improvements to the mobile home as disclosed in the prospectus.

Section 19. Paragraph (c) of subsection (4) and subsections (5) and (7) of section 723.012, Florida Statutes, are amended to read:

723.012 Prospectus or offering circular.—The prospectus or offering circular, which is required to be provided by s. 723.011, must contain the following information:

(4) Beginning on the first page of the text, the following information:

(c) A description of the mobile home park property, including, but not limited to:

1. The number of lots in each section, the approximate size of each lot, the setback requirements, and the minimum separation distance between mobile homes as required by law.

2. The maximum number of lots that will use shared facilities of the park; and, if the maximum number of lots will vary, a description of the basis for variation. A mobile home park owner may amend the prospectus to include additional property and mobile home lots and to increase the maximum number of lots that use the shared facilities of the park.

(5) A description of the recreational and other common
facilities, if any, that will be used by the mobile home owners, including, but not limited to:
(a) The number of buildings and each room thereof and its intended purposes, location, approximate floor area, and capacity in numbers of people.
(b) Each swimming pool, as to its general location, approximate size and depths, and approximate deck size and capacity and whether heated.
(c) All other facilities and permanent improvements which will serve the mobile home owners.
(d) A general description of the items of personal property available for use by the mobile home owners.
(e) A general description of the days and hours that facilities will be available for use.
(f) A statement as to whether all improvements are complete and, if not, their estimated completion dates.

Any improvement or change to the facilities or services provided by the mobile home park may be, but is not required to be, disclosed by the park owner in an amendment to the prospectus. If the park owner adds property or lots to the mobile home park which were not disclosed in the owner's prospectus, the park owner may amend the prospectus to provide additional facilities and services to the mobile home park of a type or kind determined by the park owner.
(7) A description of all improvements, whether temporary or permanent, which are required to be installed by the mobile home owner as a condition of his or her occupancy in the park, including improvements that are required upon purchase of the home by an approved tenant.

Section 20. Section 723.023, Florida Statutes, is amended to read:

723.023 Mobile home owner's general obligations.—A mobile home owner shall at all times:

(1) At all times comply with all obligations imposed on mobile home owners by applicable provisions of building, housing, and health codes, including compliance with all building permits and construction requirements for construction on the mobile home and lot. The home owner is responsible for all fines imposed by the local government for noncompliance with any local codes.

(2) At all times keep the mobile home lot that which he or she occupies clean, neat, and sanitary, and maintained in compliance with all local codes.

(3) At all times comply with properly promulgated park rules and regulations and require other persons on the premises with his or her consent to comply with such rules and to conduct themselves, and other persons on the premises with his or her consent, in a manner that does not unreasonably disturb other residents of the park or constitute a breach of the peace.
(4) Receive written approval from the mobile home park owner before making any exterior modification or addition to the home.

(5) When vacating the premises, remove any debris and other property of any kind which is left on the mobile home lot.

Section 21. Subsection (5) of section 723.031, Florida Statutes, is amended to read:

723.031 Mobile home lot rental agreements.—

(5) The rental agreement must contain the lot rental amount and services included. An increase in lot rental amount upon expiration of the term of the lot rental agreement must be in accordance with ss. 723.033 and 723.037 or s. 723.059(4), whichever is applicable; provided that, pursuant to s. 723.059(4), the amount of the lot rental increase is disclosed and agreed to by the purchaser by executing a rental agreement setting forth the new lot rental amount, in writing. An increase in lot rental amount shall not be arbitrary or discriminatory between similarly situated tenants in the park. A lot rental amount may not be increased during the term of the lot rental agreement, except:

(a) When the manner of the increase is disclosed in a lot rental agreement with a term exceeding 12 months and which provides for such increases not more frequently than annually. 

(b) For pass-through charges as defined in s. 723.003.

(c) That a charge may not be collected which results in
payment of money for sums previously collected as part of the lot rental amount. The provisions hereof notwithstanding, the mobile home park owner may pass on, at any time during the term of the lot rental agreement, ad valorem property taxes, non-ad valorem assessments, and utility charges, or increases of either, provided that the ad valorem property taxes, non-ad valorem assessments, and utility charges are not otherwise being collected in the remainder of the lot rental amount and provided further that the passing on of such ad valorem taxes, non-ad valorem assessments, or utility charges, or increases of either, was disclosed prior to tenancy, was being passed on as a matter of custom between the mobile home park owner and the mobile home owner, or such passing on was authorized by law. A park owner is deemed to have disclosed the passing on of ad valorem property taxes and non-ad valorem assessments if ad valorem property taxes or non-ad valorem assessments were disclosed as a separate charge or a factor for increasing the lot rental amount in the prospectus or rental agreement. Such ad valorem taxes, non-ad valorem assessments, and utility charges shall be a part of the lot rental amount as defined by this chapter. The term "non-ad valorem assessments" has the same meaning as provided in s. 197.3632(1)(d). Other provisions of this chapter notwithstanding, pass-on charges may be passed on only within 1 year of the date a mobile home park owner remits payment of the charge. A mobile home park owner is prohibited from passing on
any fine, interest, fee, or increase in a charge resulting from a park owner's payment of the charge after the date such charges become delinquent. Nothing herein shall prohibit a park owner and a homeowner from mutually agreeing to an alternative manner of payment to the park owner of the charges.

(d) If a notice of increase in lot rental amount is not given 90 days before the renewal date of the rental agreement, the rental agreement must remain under the same terms until a 90-day notice of increase in lot rental amount is given. The notice may provide for a rental term shorter than 1 year in order to maintain the same renewal date.

Section 22. Subsection (1) and paragraph (a) of subsection (4) of section 723.037, Florida Statutes, are amended to read:

723.037 Lot rental increases; reduction in services or utilities; change in rules and regulations; mediation.—

(1) A park owner shall give written notice to each affected mobile home owner and the board of directors of the homeowners' association, if one has been formed, at least 90 days before any increase in lot rental amount or reduction in services or utilities provided by the park owner or change in rules and regulations. The park owner may give notice of all increases in lot rental amount for multiple anniversary dates in the same 90-day notice. The notice must identify all other affected homeowners, which may be by lot number, name, group, or phase. If the affected homeowners are not identified by name,
the park owner shall make the names and addresses available upon request. However, this requirement does not authorize the release of the names, addresses, or other private information about the homeowners to the association or any other person for any other purpose. The homeowner's right to the 90-day notice may not be waived or precluded by a homeowner, or the homeowners' committee, in an agreement with the park owner. Rules adopted as a result of restrictions imposed by governmental entities and required to protect the public health, safety, and welfare may be enforced prior to the expiration of the 90-day period but are not otherwise exempt from the requirements of this chapter. Pass-through charges must be separately listed as to the amount of the charge, the name of the governmental entity mandating the capital improvement, and the nature or type of the pass-through charge being levied. Notices of increase in the lot rental amount due to a pass-through charge must state the additional payment and starting and ending dates of each pass-through charge. The homeowners' association shall have no standing to challenge the increase in lot rental amount, reduction in services or utilities, or change of rules and regulations unless a majority of the affected homeowners agree, in writing, to such representation.

(4)(a) A committee, not to exceed five in number, consisting of mobile home owners in the park and designated by a
majority of the affected mobile home owners or by the board of directors of the homeowners' association, if applicable, and the park owner shall meet, at a mutually convenient time and place no later than 60 days before the effective date of the change to discuss the reasons for the increase in lot rental amount, reduction in services or utilities, or change in rules and regulations. The negotiating committee shall make a written request for a meeting with the park owner or subdivision developer to discuss those matters addressed in the 90-day notice, and may include in the request a listing of any other issue, with supporting documentation, that the committee intends to raise and discuss at the meeting. The committee shall address all lot rental amount increases that are specified in the notice of lot rental amount increase, regardless of the effective date of the increase.

This subsection is not intended to be enforced by civil or administrative action. Rather, the meetings and discussions are intended to be in the nature of settlement discussions prior to the parties proceeding to mediation of any dispute.

Section 23. Subsections (5) and (6) are added to section 723.041, Florida Statutes, to read:

723.041 Entrance fees; refunds; exit fees prohibited; replacement homes.—

(5) A mobile home park that is damaged or destroyed due to
wind, water, or other natural force may be rebuilt on the same
site with the same density as was approved, permitted, or built
before the park was damaged or destroyed.

(6) This section does not limit the regulation of the
uniform firesafety standards established under s. 633.206, but
supersedes any other density, separation, setback, or lot size
regulation adopted after initial permitting and construction of
the mobile home park.

Section 24. Section 723.042, Florida Statutes, is amended
to read:

723.042 Provision of improvements.—A person shall be required by a mobile home park owner or developer, as a
condition of residence in the mobile home park, to provide any
improvement unless the requirement is disclosed pursuant to s.
723.012(7) or 723.011 prior to occupancy in the mobile home
park.

Section 25. Section 723.059, Florida Statutes, is amended
to read:

723.059 Rights of Purchaser of a mobile home within a
mobile home park.—

(1) The purchaser of a mobile home within a mobile home
park may become a tenant of the park if such purchaser would
otherwise qualify with the requirements of entry into the park
under the park rules and regulations, subject to the approval of
the park owner, but such approval may not be unreasonably
withheld. The purchaser of the mobile home may cancel or rescind the contract for purchase of the mobile home if the purchaser's tenancy has not been approved by the park owner 5 days before the closing of the purchase.

(2) Properly promulgated rules may provide for the screening of any prospective purchaser to determine whether or not such purchaser is qualified to become a tenant of the park.

(3) The purchaser of a mobile home who intends to become a resident of the mobile home park in accordance with this section shall enter a new tenancy by entering into a new lot rental agreement, including the prospectus and rules and regulations, with the park owner has the right to assume the remainder of the term of any rental agreement then in effect between the mobile home park owner and the seller and shall be entitled to rely on the terms and conditions of the prospectus or offering circular as delivered to the initial recipient.

(4) The mobile home park owner shall disclose the lot rental amount to be charged for a new tenancy prior to the applicant paying a screening fee and applying for approval for the tenancy. However, nothing herein shall be construed to prohibit a mobile home park owner from increasing the rental amount to be paid by the purchaser upon the expiration of the assumed rental agreement in an amount deemed appropriate by the mobile home park owner, so long as such increase is disclosed to the purchaser prior to his or her occupancy and is imposed in a
manner consistent with the initial offering circular or prospectus and this act.

(5) Lifetime leases and the renewal provisions in automatically renewable leases, both those existing and those entered into after July 1, 1986, are not assumable unless otherwise provided in the mobile home lot rental agreement or unless the transferee is the home owner's spouse. The right to an assumption of the lease by a spouse may be exercised only one time during the term of that lease.

Section 26. Subsection (4) of section 723.061, Florida Statutes, is amended, and subsections (5) and (6) are added to that section, to read:

723.061 Eviction; grounds, proceedings.—

(4) Except for the notice to the officers of the homeowners' association under subparagraph (1)(d)1., any notice required by this section must be in writing and must be posted on the premises and sent to the mobile home owner and tenant or occupant, as appropriate, by United States mail certified or registered mail, return receipt requested, addressed to the mobile home owner and tenant or occupant, as appropriate, at her or his last known address. Delivery of the mailed notice shall be deemed given 5 days after the date of postmark.

(5) A park owner who accepts payment of any portion of the lot rental amount with actual knowledge of noncompliance after notice and termination of the rental agreement due to a
violation under paragraph (1)(b), paragraph (1)(c), or paragraph (1)(e) does not waive the right to terminate the rental agreement or the right to bring a civil action for the noncompliance, but not for any subsequent or continuing noncompliance. Any rent so received must be accounted for at the final hearing.

(6) A tenant who intends to defend against an action by the landlord for possession for noncompliance under paragraph (1)(a), paragraph (1)(b), paragraph (1)(c), or paragraph (1)(e) must comply with s. 723.063(2).

Section 27. Section 723.063, Florida Statutes, is amended to read:

723.063 Defenses to action for rent or possession; procedure.—

(1)(a) In any action based upon nonpayment of rent or seeking to recover unpaid rent, or a portion thereof, the mobile home owner may defend upon the ground of a material noncompliance with any portion of this chapter or may raise any other defense, whether legal or equitable, which he or she may have.

(b) The defense of material noncompliance may be raised by the mobile home owner only if 7 days have elapsed after he or she has notified the park owner in writing of his or her intention not to pay rent, or a portion thereof, based upon the park owner's noncompliance with portions of this chapter,
specifying in reasonable detail the provisions in default. A material noncompliance with this chapter by the park owner is a complete defense to an action for possession based upon nonpayment of rent, or a portion thereof, and, upon hearing, the court or the jury, as the case may be, shall determine the amount, if any, by which the rent is to be reduced to reflect the diminution in value of the lot during the period of noncompliance with any portion of this chapter. After consideration of all other relevant issues, the court shall enter appropriate judgment.

(2) In any action by the park owner or a mobile home owner brought under subsection (1), the mobile home owner shall pay into the registry of the court that portion of the accrued rent, if any, relating to the claim of material noncompliance as alleged in the complaint, or as determined by the court. The court shall notify the mobile home owner of such requirement. The failure of the mobile home owner to pay the rent, or portion thereof, into the registry of the court or to file a motion to determine the amount of rent to be paid into the registry within 5 days, excluding Saturdays, Sundays, and legal holidays, after the date of service of process constitutes an absolute waiver of the mobile home owner's defenses other than payment, and the park owner is entitled to an immediate default judgment for removal of the mobile home owner with a writ of possession to be issued without further notice or hearing thereon. If a motion to
determine rent is filed, the movant must provide sworn
documentation in support of his or her allegation that the rent
alleged in the complaint is erroneous as required herein
constitutes an absolute waiver of the mobile home owner's
defenses other than payment, and the park owner is entitled to
an immediate default.

(3) When the mobile home owner has deposited funds into
the registry of the court in accordance with the provisions of
this section and the park owner is in actual danger of loss of
the premises or other personal hardship resulting from the loss
of rental income from the premises, the park owner may apply to
the court for disbursement of all or part of the funds or for
prompt final hearing, whereupon the court shall advance the
cause on the calendar. The court, after preliminary hearing, may
award all or any portion of the funds on deposit to the park
owner or may proceed immediately to a final resolution of the
cause.

Section 28. For the purpose of incorporating the amendment
made by this act to section 420.5087, Florida Statutes, in a
reference thereto, paragraph (i) of subsection (22) of section
420.507, Florida Statutes, is reenacted to read:

420.507 Powers of the corporation.—The corporation shall
have all the powers necessary or convenient to carry out and
effectuate the purposes and provisions of this part, including
the following powers which are in addition to all other powers

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CODING: Words stricken are deletions; words underlined are additions.
(22) To develop and administer the State Apartment Incentive Loan Program. In developing and administering that program, the corporation may:

(i) Establish, by rule, the procedure for competitively evaluating and selecting all applications for funding based on the criteria set forth in s. 420.5087(6)(c), determining actual loan amounts, making and servicing loans, and exercising the powers authorized in this subsection.

Section 29. For the purpose of incorporating the amendment made by this act to section 420.5095, Florida Statutes, in a reference thereto, subsection (2) of section 193.018, Florida Statutes, is reenacted to read:

193.018 Land owned by a community land trust used to provide affordable housing; assessment; structural improvements, condominium parcels, and cooperative parcels.—

(2) A community land trust may convey structural improvements, condominium parcels, or cooperative parcels, that are located on specific parcels of land that are identified by a legal description contained in and subject to a ground lease having a term of at least 99 years, for the purpose of providing affordable housing to natural persons or families who meet the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, or the income limits for workforce housing, as defined in s. 420.5095(3). A community
land trust shall retain a preemptive option to purchase any
structural improvements, condominium parcels, or cooperative
parcels on the land at a price determined by a formula specified
in the ground lease which is designed to ensure that the
structural improvements, condominium parcels, or cooperative
parcels remain affordable.

Section 30. This act shall take effect July 1, 2020.