



188398

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2025	.	
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	.	

The Committee on Judiciary (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Between lines 311 and 312
insert:

Section 6. Subsection (3) of section 82.036, Florida Statutes, is amended to read:

82.036 Limited alternative remedy to remove unauthorized persons from residential real property.—

(3) To request the immediate removal of an unlawful occupant of a residential dwelling, the property owner or his or



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11 her authorized agent must submit a complaint by presenting a
12 completed and verified Complaint to Remove Persons Unlawfully
13 Occupying Residential Real Property to the sheriff of the county
14 in which the real property is located. The submitted complaint
15 must be in substantially the following form:

16
17 COMPLAINT TO REMOVE PERSONS UNLAWFULLY
18 OCCUPYING RESIDENTIAL REAL PROPERTY
19

20 I, the owner or authorized agent of the owner of the real
21 property located at, declare under the penalty of
22 perjury that (initial each box):

- 23 1. I am the owner of the real property or the
24 authorized agent of the owner of the real property.
- 25 2. I purchased the property on
- 26 3. The real property is a residential dwelling.
- 27 4. An unauthorized person or persons have unlawfully
28 entered and are remaining or residing unlawfully on the real
29 property.
- 30 5. The real property was not open to members of the
31 public at the time the unauthorized person or persons entered.
- 32 6. I have directed the unauthorized person or persons
33 to leave the real property, but they have not done so.
- 34 7. The person or persons are not current or former
35 tenants pursuant to any valid lease authorized by the property
36 owner, and any lease that may be produced by an occupant is
37 fraudulent.
- 38 8. The unauthorized person or persons sought to be
39 removed are not an owner or a co-owner of the property and have



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40 not been listed on the title to the property unless the person
41 or persons have engaged in title fraud.

42 9. The unauthorized person or persons are not
43 immediate family members of the property owner.

44 10. There is no litigation related to the real
45 property pending between the property owner and any person
46 sought to be removed.

47 11. I understand that a person or persons removed from
48 the property pursuant to this procedure may bring a cause of
49 action against me for any false statements made in this
50 complaint, or for wrongfully using this procedure, and that as a
51 result of such action I may be held liable for actual damages,
52 penalties, costs, and reasonable attorney fees.

53 12. I am requesting the sheriff to immediately remove
54 the unauthorized person or persons from the residential
55 property. I authorize the Sheriff to enter the property using
56 reasonably necessary force, search the property, and remove any
57 unauthorized person.

58 13. A copy of my valid government-issued
59 identification is attached, or I am an agent of the property
60 owner, and documents evidencing my authority to act on the
61 property owner's behalf are attached.

62
63 I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH
64 STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS
65 MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY,
66 PUNISHABLE AS PROVIDED IN SECTION 92.525 ~~837.02~~, FLORIDA
67 STATUTES.
68



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69 ... (Signature of Property Owner or Agent of Owner) ...

70

71

72 ===== T I T L E A M E N D M E N T =====

73 And the title is amended as follows:

74 Delete line 36

75 and insert:

76 references thereto; amending s. 82.036; specifying a

77 requirement for the complaint to remove an

78 unauthorized person from residential property;

79 correcting a cross-reference in the complaint;

80 providing an effective date.