

FLORIDA STATE STATUTES

Chapter 83, Florida Statutes: Landlord and Tenant



§83.40: Short title of the "Florida Residential Landlord and Tenant Act"¹². This statute establishes the name of the act.



§83.41: Application of the act to the rental of a dwelling unit¹². This statute specifies that the act applies to the rental of dwelling units.



§83.42: Exclusions from the application of the act¹². This statute outlines situations where the act does not apply.



§83.425: Preemption of local regulations on residential tenancies². This statute establishes that state law preempts local regulations.



§83.46: Pertains to rent payments, specifying that rent is payable at the beginning of each rent period unless otherwise specified in the lease³. This statute clarifies when rent is due and establishes rules for month-to-month and week-to-week agreements if the lease doesn't specify.



§83.49: Deposit money or advance rent; duty of landlord and tenant⁴⁵⁶⁷⁸. This statute outlines the landlord's responsibilities regarding security deposits⁷.



§83.49(2): Requires landlords who own or manage five or more rental units to disclose the location and status of the security deposit within 30 days of receiving it^{791011....}. This includes whether the deposit is in a separate bank account and if it is interest-bearing or non-interest-

bearing791011....



§83.49(3)(a): Mandates that a landlord must provide an itemized list of damages claimed against the deposit within 30 days of lease termination47918.... The notice must include specific reasons for the claim and the amounts2936. Failure to provide the required notice results in the landlord forfeiting the right to impose a claim on the security deposit741424650.



§83.49(3)(b): Specifies that a tenant has 15 days to object to a claim on the security deposit7395152....



§83.51: Landlord's obligation to maintain premises4567.... This statute outlines the landlord's responsibility to maintain the property in a safe and habitable condition749556263.



§83.51(1)(a): Requires the landlord to comply with building, housing, and health codes7384055....



§83.51(1)(b): Requires the landlord to maintain the plumbing in reasonable working condition6566.



§83.51(2)(a): Requires the landlord to make reasonable provisions for locks and keys and to maintain functioning facilities for heat, running water, and hot water49636768.



§83.51(2)(b): Requires the landlord to comply with the requirements of applicable building, housing, and health codes6566.



§83.67: Prohibited practices82531. This statute prohibits landlords from converting tenant property for personal use or failing to notify tenants in writing about the status of abandoned

personal property⁷³¹⁶⁹. It also includes sections on retaliatory conduct and illegal eviction practices⁷⁰.



§83.64: Addresses Retaliatory Conduct in landlord tenant disputes⁷⁰

Chapter 715, Florida Statutes: Property



§715.104: Notification of former tenant of personal property left on premises^{4567....} This statute requires the landlord to provide written notice to the tenant regarding personal property left on the premises^{7122231....}



§715.104(1): States that a landlord must give written notice to the former tenant, stating that the property is considered abandoned and that the landlord intends to dispose of it if not claimed⁷¹²³¹⁷³.



§715.109: Penalties for noncompliance^{4567....} This statute specifies that if a landlord does not comply with the requirements for handling personal property, they are liable to the former tenant for actual damages or three months' rent, whichever is greater, and the costs of the action^{672434....}

Chapter 784, Florida Statutes: Assault and Battery; Stalking



§784.048: Stalking; definitions; penalties⁷⁸⁸¹. This statute defines and prohibits stalking, which includes conduct causing substantial emotional distress without legitimate purpose^{7253256....}

Other Relevant Florida Statutes



§454.23: This statute may be relevant if the landlord misrepresented their legal status⁷⁶⁰.



§605.0902: Requires foreign entities conducting business in Florida to register as such⁷⁶⁰. If the landlord operated through unregistered assumed business names or avoided Florida's foreign registration requirements, it could undermine the lease's enforceability⁷⁵⁸⁸⁴.



Chapter 718, Florida Statutes: The Condominium Act, may be relevant in disputes involving rental units within condominiums⁸⁵⁸⁶.



Chapter 720, Florida Statutes: The Homeowners' Associations chapter, may be relevant if the rental property is part of a community governed by an HOA⁸⁵⁸⁶.



Chapter 723, Florida Statutes: This chapter covers Mobile Home Park Lot Tenancies, which can be relevant if the dispute involves a mobile home or manufactured home rental⁸⁵⁸⁶.



Chapter 768, Florida Statutes: Negligence and Tort Actions, can be invoked in cases where a tenant or landlord seeks damages for personal injury or property damage due to negligence or wrongful acts⁸⁵⁸⁷.



Chapter 831, Florida Statutes: Forgery and Counterfeiting, might be referenced if there are disputes over the authenticity of lease agreements or other documents⁸⁵⁸⁷.



Chapter 832, Florida Statutes: Fraudulent Practices can be relevant if there are allegations of fraud in the rental agreement or related transactions⁸⁵⁸⁷.

Additional Notes



Lease Agreement: The lease agreement itself is a critical document, and its terms are enforceable as long as they do not conflict with Florida statutes⁸³⁸⁸. Any default or needed remedies should refer to Part II, Chapter 83, the Florida Residential Landlord and Tenant Act⁸³⁸⁸.



Federal Law: Federal laws, particularly the Fair Housing Act, are also relevant, mainly regarding anti-discrimination⁸⁹.

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