

PROPOSED

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA ("BOARD"), PERTAINING TO THE CONTENT OF THE "NOTICE OF RIGHTS" LANDLORDS ARE REQUIRED TO PROVIDE TO TENANTS PURSUANT TO THE "TENANT'S BILL OF RIGHTS AND NOTICE OF LATE FEES ORDINANCE" ENACTED BY THE BOARD ON JUNE 14, 2022; AUTHORIZING THE DIRECTOR OF THE RESILIENT ENVIRONMENTAL DEPARTMENT TO UPDATE THE "NOTICE OF RIGHTS" AS APPROPRIATE, SUBJECT TO REVIEW FOR LEGAL SUFFICIENCY BY THE OFFICE OF THE COUNTY ATTORNEY; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on June 14, 2022, the Broward County Board of County Commissioners ("Board") enacted Ordinance No. _____, known as the "Tenant's Bill of Rights and Notice of Late Fees Ordinance";

WHEREAS, the "Tenant's Bill of Rights and Notice of Late Fees Ordinance" requires landlords of certain residential rental units in Broward County to provide all tenants with a notice regarding certain legal rights tenants have under applicable law, as well as contact information for various local agencies and governmental offices that may provide information and assistance to tenants; and

WHEREAS, the Board has reviewed the proposed "Notice of Rights" prepared by the Resilient Environmental Department ("RED") and wishes to approve the content therein, and to further authorize the RED Director to update the "Notice of Rights" in the future as RED believes appropriate, subject to review for legal sufficiency by the Office of the County Attorney, NOW, THEREFORE,

1 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
2 BROWARD COUNTY, FLORIDA:

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4 Section 1. The Board hereby approves the content of the "Notice of Rights"
5 submitted as Attachment 1 to this Resolution.

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7 Section 2. The Board hereby directs RED to publish the "Notice of Rights" on
8 the County's website for use by Landlords to comply with the provisions in the "Tenant's
9 Bill of Rights and Notice of Late Fees Ordinance."

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11 Section 3. The Director of RED is authorized update the "Notice of Rights" as
12 appropriate, subject to review for legal sufficiency by the Office of the County Attorney.

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14 Section 4. Severability.

15 If any portion of this Resolution is deemed by any court to be invalid, the invalid
16 portion will be stricken, and such striking will not affect the validity of the remainder of this
17 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
18 legally applied to any individual, group, entity, property, or circumstance, such
19 determination will not affect the applicability of this Resolution to any other individual,
20 group, entity, property, or circumstance.

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ADOPTED this day of , 2022. **PROPOSED**

By /s/ Nathaniel A. Klitsberg 05/31/2022
Nathaniel A. Klitsberg (date)
Senior Assistant County Attorney

By /s/ Maite Azcoitia 05/31/2022
Maite Azcoitia (date)
Deputy County Attorney

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Required Notice of Rental Housing Rights and Resources

Pursuant to Broward County Ordinance 2022-XXXX, landlords and other lessors of residential rental property in Broward County are required to distribute this notice to persons applying to rent a rental unit. Where no application is required, this notice must be provided prior to the tenant beginning to occupy the rental unit.

This notice provides a general overview of rental rights and related resources for tenants in Broward County but is not intended to provide legal advice by either the County or the landlord providing the notice.

TENANTS HAVE RIGHTS

Just as tenants have responsibilities under Florida law and through lease agreements – including paying rent, keeping the unit clean and in working order, and not disturbing the peace - landlords have certain requirements and restrictions as well, such as providing a clean and safe property by maintaining the major systems and the building structure. Landlords in Broward County are also required to provide notice to tenants informing them when a late fee has been incurred.

KNOW THE LAW

Tenants in Florida can have either a written or an oral lease agreement. Because there are more likely to be misunderstandings with an oral lease, if possible, it is recommended that tenants have a written lease agreement with the landlord. Prior to entering into a lease, tenants should review their lease regarding their responsibilities and should also be familiar with Florida's Landlord/Tenant Law in Florida Statute Chapter 83, Part II. The State of Florida provides a free brochure with an overview of Florida's Landlord/Tenant Law that is available at FloridaConsumerHelp.com or by calling **1-800-HELP-FLA (435-7352)** or **1-800-FL-AYUDA (352-9832)** en Español.

ALL RESIDENTIAL RENTALS MUST BE FIT FOR HABITATION

A rental unit must generally include plumbing and heating that is compliant with all applicable codes, be reasonably free from pests and have fully-functioning and locking doors and windows, among other requirements. Structures in Broward County must also meet all applicable building, housing, and health codes. If there is an issue with your unit for which you

are not responsible for in your lease, contact your landlord as set forth in your lease. If your landlord does not address the issue within a reasonable timeframe, you may be able to report it. Certain issues, such as lack of operable sanitary facilities or water or leaking roofs, can be reported to your **Municipal Building Code Enforcement Department** or call **311**.

DISCRIMINATION AND RETALIATION ARE ILLEGAL

A landlord may not raise your rent or threaten to evict you because you reported a health or safety violation or filed a fair housing complaint. A landlord cannot treat you differently because of your race, nationality, disability, religion, or sexual orientation, or because you pay your rent with Section 8 vouchers or any other governmental assistance, among other criteria. If you feel you have been discriminated or retaliated against, you can contact the **Broward County Professional Standards/Human Rights Section** at **(954) 357-6500** or the **Broward County Consumer Protection** at **(954) 765-4400**.

YOU HAVE THE RIGHT TO CHALLENGE AN EVICTION AND OTHER UNLAWFUL ACTION

A lease does not prevent you from challenging an eviction. If the landlord is violating the lease agreement, you can always seek relief through the courts. If you cannot afford an attorney, you can contact **Legal Aid Service of Broward County** at **954-765-8950** to see if you are eligible for free legal assistance.

FINANCIAL ASSISTANCE

If you face eviction and/or homelessness, financial assistance may be available. There are many local organizations that can help. **Contact Broward County Family Success Center** at **(954) 357-5001**.

Required Notice of Rental Housing Rights and Resources

Resources

Discrimination (Race, Color, Gender, Age, National Origin, Religion, Disability, Marital or Familial Status, Sexual Orientation, Gender Identity, or Expression)

Broward County Professional Standards/Human Rights Section at (954) 357-6500

Persons with Disabilities Broward County ADA Officer 954-357-6500

(954) TTY: 357-6181

For hearing or speech assistance, call the Florida Relay Service Numbers, (800) 955-8771 (TDD) or (800) 955- 8700(v)

**Housing & Rental Financial Assistance
Broward County Family Success Center
954-357-5001**

Section 8

**Broward County Housing Authority
954 739-1114**

**Fort Lauderdale Housing Authority
954-589-7189**

Eviction Proceedings & Disputes

**Broward County Clerk of the Circuit Court
(954) 831-6565**

**Broward County Sheriff's Office Civil Division
(954) 831-8787**

Complaints, Security Deposit Disputes & Source of Income Discrimination

**Broward County Consumer Protection
(954) 765-4400**

Legal Questions or Problems

**Legal Aid Service of Broward County
(954) 765-8950**

Affirmation of Receipt of Required Notice of Rental Housing Rights and Resources

I/We, _____ [tenant(s)], confirm that I/we have received a Required Notice of Rental Housing Rights and Resources on _____ [date].

Tenant Signature

Landlord Signature

Tenant Name (Printed)

Landlord Name (Printed)

Tenant Signature

Tenant Name (Printed)

This signature page should be retained by the landlord. Please provide a copy of this document to your tenant(s). The Rental Housing Rights and Resources can be found at www.broward.org