



ITEM SUMMARY

MEETING DATE: July 18, 2022

FROM: Glen Torcivia, City Attorney & Andrea McCue, City Manager

SUBJECT: Landlord/Tenant Notice Requirements Ordinance

BACKGROUND

Over the past year, the City has witnessed substantial and steady increases in residential rental rates within the City. The Council has been searching for ways to assist rental tenants in the City knowing the likelihood of a rent control ordinance is difficult at best given the state's preemption of such ordinances and the statutory requirement of a referendum each year such ordinance is to be adopted.

ANALYSIS

Based on direction provided by the Council, the City Attorney drafted a Landlord/Tenant Notice Ordinance for consideration. The Landlord/Tenant Notice Ordinance seeks to assist residential rental tenants in the City in two ways. First, due to concerns with availability of rentals and substantial increases in rental rates, the ordinance will require residential landlords in the City to give 60 days prior written notice of termination to all tenants with a month-to-month tenancy without a specific duration (i.e., term). The notice will need to be provided prior to the end of any monthly period. Currently, section 83.57, Florida Statutes, only requires 15 days prior notice before a month-to-month tenancy without a set duration may be terminated. Secondly, due to the significant increases in rental rates, the ordinance will require residential landlords to give 60 days prior written notice to all residential tenants with a set lease term, or a month-to-month tenancy without a specific duration, of a proposed rental rate increase that exceeds five percent (5%). This ensures that tenants with a set lease term and monthly tenants without a set lease term are given fair notice (60 days) of any potential rent increase before the rental increase commences. Currently, there is no law that requires such notice.

Ordinance 2022-18 was passed on first reading at the June 2, 2022, Council Meeting.

FINANCIAL INFORMATION

No cost associated with adopted of Ordinance 2022-18

LEGAL

The City Attorney has drafted and reviewed the ordinance for legal sufficiency and compliance.

STAFF RECOMMENDATION

Staff is recommending approval of Ordinance 2022-18 on second reading.