

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: April 5, 2022

DEPARTMENT: City Attorney

TITLE:

Ordinance No. 07-2022 – Notice Requirements for Rental Increases and Termination of Monthly Tenancies Without a Specific Duration

SUMMARY:

The proposed Ordinance will add two (2) provisions to the City's code to require a 60-day written notice of an increase in rental rates that exceeds five percent (5%) and the termination of a monthly tenancies without a specific duration

BACKGROUND AND JUSTIFICATION:

Over the past year, the City Commission has witnessed and heard of substantial and steady increases in rental rates within the City. The Commission 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.

In lieu of a rent control ordinance, Ordinance No. 07-2022 seeks to assist rental tenants in the City in two ways:

First, due to the significant increases in rental rates, Ordinance No. 07-2022 will require residential landlords in the City to give 60 days prior written notice to all residential tenants with a set lease term, or a monthly 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 or duration 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.

Secondly, due to concerns with availability of rentals and substantial increases in rental rates, Ordinance No. 07-2022 will require residential landlords in the City to give 60 days prior written notice of termination to all residential tenants without a specific duration in which the rent is payable on a monthly basis. 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.

MOTION:

Move to approve / not approve Ordinance No. 07-2022 on first reading and setting the second reading and public hearing for April 19, 2022.

ATTACHMENTS:

Ordinance No. 07-2022