

General Local Licensing Requirement Talking Points

- Additional licensing or registration requirements imposed at the local level can increase costs and create additional administrative burdens for property owners.
 - For example, the registration or licensing requirements typically involve a fee to process the application and, in some cases, require property owners to comply with specific resident screening requirements.
 - The forms associated with this registration process often require the contact information for the property manager and other management company personnel, which can change on a routine basis, to be kept on file and up to date with the city.
- State law (509.032 (7) (a)) preempts the regulation of public lodging establishments to the state.
 - Further, Section 509.032(1) makes the Division of Hotels and Restaurants of the Department of Business and Professional Regulation the primary regulatory agency for transient public lodging (apartment communities).
 - In light of these preemptions, some local ordinances related to additional regulations for rental units specifically exclude public lodging establishments.
 - One example is Broward County's Landlord Registration and Residential Rental Property Inspections Program. The county included an exemption in the definition of a residential unit, which states, "Residential rental unit shall not include any dwelling unit that is owned by a federal, state, or local housing program or the federal Department of Housing and Urban Development, hotels, motels, public lodging establishments, as defined in Section 509.013, Florida Statutes, or any community residential facility licensed and inspected by the state of Florida."
- If the city or county seeks to regulate rentals (vacation, short term or otherwise), care should be taken to ensure the ordinance complies with Florida Statute 509.032 (7) (a) and excludes apartment communities with five or more units.