

R21-021

RESOLUTION

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RESOLUTION NO. R21-021

A RESOLUTION APPROVING THE PROPOSED NOTICE OF RIGHTS, ATTACHED HERETO AS EXHIBIT “A”, FOR DISTRIBUTION BY LANDLORDS AND PERSONS RENTING RESIDENTIAL PROPERTY AS SET FORTH IN ORDINANCE 2021- 7 ; REQUIRING THE NOTICE TO BE AVAILABLE IN BOTH ENGLISH AND SPANISH; AND PROVIDING AN EFFECTIVE DATE.

Upon motion by Commissioner Kimberly Overman, seconded by Commissioner Mariella Smith, the following Resolution was adopted by a vote of 5 to 1, with Commissioner(s) Stacy White voting “No”.

WHEREAS, on March 3, 2021, the Board of County Commissioners of Hillsborough County (“Board”) approved Ordinance 2021-7, the Tenant’s Bill of Rights, Source of Income Anti-Discrimination and Notice of Late Fees Ordinance (hereafter, the “Notice Ordinance”), which among other things requires that landlords and other persons allowing tenants to occupy rental units in unincorporated Hillsborough County provide written notification to tenants of their rights and available resources (“Notice”); and

WHEREAS, per the Notice Ordinance, the Board will approve the form of the Notice by resolution, as it may be amended from time to time; and

WHEREAS, per the Notice Ordinance, the Notice “shall generally include information on tenants’ rights under federal, state and local law and contact information for organizations available to provide assistance to tenants”; and

WHEREAS, the Board wishes to adopt the proposed Notice, attached hereto as Exhibit “A”, and titled the “Required Notice of Rental Housing Rights and Resources”; and

WHEREAS, the Board intends that the proposed Notice shall be available in both English and Spanish.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Hillsborough County, Florida, in regular meeting assembled this 3rd day of March, 2021, that:

1. The proposed Notice attached hereto as Exhibit "A" and titled the "Required Notice of Rental Housing Rights and Resources" is hereby approved for distribution by landlords and other persons as set forth in Ordinance 2021- 7.
2. The Notice shall be available in both English and Spanish.
3. This Resolution shall take effect immediately upon its adoption.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Cindy Stuart, Clerk of the Circuit Court and Ex Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of March 3, 2021, as the same appears of record in Minute Book 538 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 5th day of March, 2021.

CINDY STUART, CLERK OF CIRCUIT COURT

By: Miguel A. Diaz
Deputy Clerk



Approved as to Form and Legal Sufficiency

By: Nancy Y. Takemori
Senior Assistant County Attorney

EXHIBIT “A”

Required Notice of Rental Housing Rights and Resources

Pursuant to Hillsborough County Ordinance 2021- 7, landlords and other lessors of residential rental property in unincorporated Hillsborough 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's occupation of a rental unit.

This Notice provides a general overview of rental rights and related resources for tenants in unincorporated Hillsborough County, and 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 unincorporated Hillsborough County also are 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, tenants should get a written lease agreement. 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 Landlord/Tenant Law that is available at www.FloridaConsumerHelp.com or 1-800-HELP-FLA (435- 7352) or 1-800-FL-AYUDA (352-9832) en Español.

ALL RESIDENTIAL RENTALS MUST BE FIT FOR HABITATION

A 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 the unincorporated County must also meet all applicable building, housing and health codes. If there is an issue with your unit for which you have not assumed responsibility under your lease, contact your landlord as set forth in your lease. If your landlord does not address the needed issue within a reasonable timeframe, certain issues, such as lack of operable sanitary facilities or water or leaking roofs, can be reported to Hillsborough County Code Enforcement at (813) 274-5545.

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, 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 Equal Opportunity Administrator's Office at (813) 272-6554 or the Hillsborough County Consumer & Veterans Services Department at (813) 635-8316.

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 Bay Area Legal Services at (813) 232-1343 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 Hillsborough County Social Services at (813) 301-7341.

RESOURCES

Code Violations Hillsborough County Code Enforcement (813) 274-5545	Eviction Proceedings & Disputes Hillsborough County Clerk of the Circuit Court (813) 276-8100 x 7807 Hillsborough County Sheriff's Office Civil Process Section (813) 242-5200
Legal Questions or Problems Bay Area Legal Services, Inc. (813) 232-1343	Complaints, Security Deposit Disputes & Source of Income Discrimination Hillsborough County Consumer & Veterans Services (813) 635-8316 HCFLGov.net/Consumer
Financial Assistance (for those facing eviction and/or homelessness) Hillsborough County Social Services (813) 301-7341	Discrimination (Race, Color, Gender, Age, National Origin, Religion, Disability, Marital or Familial Status, Sexual Orientation, Gender Identity or Expression)

	Hillsborough County Equal Opportunity Administrator's Office (813) 272-6554
Section 8 Tampa Housing Authority (813) 341-9101	Persons with Disabilities Hillsborough County ADA Officer (813) 276-8401; TTY: 7-1-1 For hearing or speech assistance, call the Florida Relay Service Numbers, (800) 955- 8771 (TDD) or (800) 955- 8700(v) or Dial 711

**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*].

This signature page should be retained by the landlord. The Required Notice of Rental Housing Rights and Resources must be provided to the tenant.