



frequently  
asked  
QUESTIONS

This document covers some Frequently Asked Questions and is not a substitute for the adopted regulations; please consult Sections 20-104 through 20-112 of the Broward County Code of Ordinances at:

[https://library.municode.com/fl/broward\\_county](https://library.municode.com/fl/broward_county).

**Q: *Are landlords required to provide existing tenants the Tenant’s Bill of Rights?***

Yes. It is the landlord’s responsibility to provide a copy of the Tenant’s Bill of Rights upon lease renewal. This includes all residential tenants regardless of whether they have month-to-month or annual rental agreements.

**Q: *Are landlords required to provide local municipalities with evidence of notification?***

No; however, as proof of compliance with the ordinance, landlords are required to retain a Tenant-signed copy of the Tenant’s Bill of Rights, for one year after the tenant vacates.

**Q: *Where can I find the Tenant’s Bill Rights?***

The document is available in PDF to print or download, in English, Spanish and Creole, on [broward.org/planning/renters](http://broward.org/planning/renters).

**Q: *When is the landlord required to provide the Tenant’s Bill of Rights?***

A copy of the Tenant’s Bill of Rights must be provided to future residential tenants before the tenant enters into a rental agreement. For current tenants, it must be provided at the time they renew their rental agreement. For tenancies with recurring terms of thirty (30) days or less that are recurring in nature, it must be provided at least annually, beginning on October 1, 2022.

**Q: *How can a landlord prove compliance with the delivery of the Tenant’s Bill of Rights?***

The Tenant’s Bill of Rights is presumed to have been provided to a tenant if the landlord can provide a written, signed and dated affirmation from the tenant stating that they have received the document in a timely manner. The landlord must retain the signed affirmation for at least one (1) year after the tenant vacates the rental unit.

**Q: *What protection is in place for landlords?***

These regulations supplement the notice provisions of Section 83.57, Florida Statutes; they do not prevent a landlord from increasing rents, imposing late fees and/or pursuing lease terminations.

**Q: *Does the County intend to create an ordinance setting limits on residential rent amounts?***

The County ordinances do not prevent landlords from increasing rents or pursuing evictions. The County’s intent is to extend the notification period, allowing adequate time for tenants to relocate and landlords to find another tenant. There are strict statutory regulations regarding rent control in Florida (FS 166.043) that establish the process for local governments to instate rent control measures.

**Q: *Does the ordinance overrule notice requirements stipulated in a lease agreement?***

The 60-day notification of termination is only required for month-to-month, quarterly or non-specified term leases. It does not apply to annual lease agreements because they already specify a termination date.

## Broward County Landlord Regulations – Tenant Rights

**Q: *How many days does the tenant have to respond once a rental increase notice is issued?***

The tenant must provide their response to the landlord within sixty (60) days. After the 60 days have expired, the landlord may impose the increased rent amount, require the renter to vacate, or pursue any other remedy available to the landlord.

**Q: *If a tenant stops paying rent during the notice period, is the landlord permitted to charge late fees?***

Yes. Notice must be given at the time of, or before, assessing the late fee. A new notice is required for each late fee assessment.

**Q: *If the lease specifies the late fee amount and the late date, are landlords still required to send out the late fee notices?***

Yes, a late fee notification is still required since it must include specific information as described in the following question.

**Q: *What specific information should be included in a late fee notice?***

The notice requirement must provide a factual basis for the late fee; cite specific provisions of the rental agreement; state the specific fee amount; and explain if late fees will increase or continue to accrue (and the rate of increase or accrual). Broward County staff designed a Late Fee Notification template which is available to landlords at [broward.org/planning/renters](http://broward.org/planning/renters).

**Q: *How can a landlord prove that they gave notice of late fees to a tenant?***

Landlords may provide notice in different ways and should retain copies with evidence of their delivery:

- E-mail to the tenant's email address identified in the rental agreement (retain a copy)
- Certified mail to the tenant's address for notices identified in the rental agreement (keep receipt)
- Post on front door of unit (take time-stamped photo)
- By hand (signed statement by delivery person)

**Q: *How do the new regulations affect short-term housing rentals?***

These regulations do not apply to short-term non-recurring rentals of thirty (30) days, or to vacation rentals and transient public lodging establishments regulated under Chapter 509, Florida Statutes.

**Q: *How do the new regulations affect mobile homes?***

These regulations do not apply to mobile home lot rentals regulated under Chapter 723, Florida Statutes.

**Q: *How do the new regulations affect Condominiums?***

These regulations apply to residential rental units. Condominium owners who rent their units are landlords and therefore must comply with the regulations.

**Q: *Are Assisted Living Facility (ALF) tenancies covered by the new Ordinances?***

ALFs are not subject to the new County Ordinances requiring notice of late fees, termination, and the Tenant's Bill of Rights. Chapter 429, Florida Statutes, outlines the requirements, including notice requirements, for ALF

## Broward County Landlord Regulations – Tenant Rights

contracts. Notably, Section 429.24(2), Florida Statutes requires ALFs to include a “provision for at least 30 days’ written notice of a rate increase” in their contracts. Moreover, Section 429.24(3)(a) states that a resident of an ALF “may not be required to provide the [ALF] with more than 30 days’ notice of termination.”

### **Q: *When do the new regulations take effect?***

- Notice of Rent Increase: effective May 1, 2022 for new leases and September 1, 2022 for lease renewals.
- Notice of Termination: effective May 1, 2022 for new leases and September 1, 2022 for lease renewals.
- Notice of Late Fees and Tenant’s Bill of Rights: effective September 1, 2022

### **Q: *Who is responsible for enforcement of these new regulations?***

The new regulations will be enforced by the Broward County Code Enforcement Section staff within the Broward Municipal Services District (BMSD) only, and may be enforced by each city’s code enforcement officers for properties located in their municipal boundaries. Tenants and landlords may locate their municipal code enforcement office by address search or clickable map: <https://bit.ly/3OsOVnx>.

### **Q: *What happens if a tenant complains to Code Enforcement?***

Code Enforcement may notify the landlord that a complaint was received and may send a courtesy letter, giving the landlord an opportunity to provide evidence of notification. If the landlord does not respond appropriately, Code Enforcement may issue a Notice of Violation.

### **Q: *What is the proposed Code Enforcement action for a complaint from a landlord, if a tenant moves out without providing the notice stipulated in the ordinance?***

Code Enforcement will notify the tenant via Certified Mail sent to their last known address. This process will be treated like any other code violation and shall advise the tenant of the complaint and require a deadline for response.

### **Q: *Do the new ordinances only apply if the municipality has a process for interior/minimum housing inspections?***

The regulations apply countywide at any time and are not related to the minimum housing code.

### **Q: *Besides the Code Enforcement process, are there other legal options for tenants and/or landlords?***

The new County ordinances are in addition to existing statutory rights provided by Landlord Tenant regulations in Chapter 83, Florida Statutes.