

MEMORANDUM

Agenda Item No. 11(A)(37)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

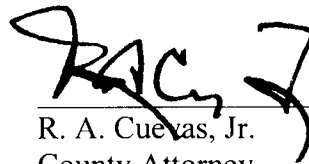
DATE: April 6, 2010

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to pass legislation
requiring landlords to provide each
tenant at the time of execution of
lease and annually thereafter a
statement of taxes, fees and costs paid
by Landord for the property rented by
tenant

Resolution No. R-413-10

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Carlos A. Gimenez.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: April 6, 2010

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County Attorney

SUBJECT: Agenda Item No. 11(A)(37)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(37)

4-6-10

RESOLUTION NO. R-413-10

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS LEGISLATION REQUIRING LANDLORDS TO PROVIDE EACH TENANT AT THE TIME OF EXECUTION OF LEASE AND ANNUALLY THEREAFTER A STATEMENT OF TAXES, FEES AND COSTS PAID BY LANDLORD FOR THE PROPERTY RENTED BY TENANT

WHEREAS, renters often believe that they do not pay property taxes; and

WHEREAS, rent collected by landlords are more often than not used to pay property insurance and taxes, among other expenses associated with the rental property; and

WHEREAS, tenants, therefore, indirectly pay property taxes by way of their rent and the amount of such rent can be influenced by the amount of taxes required to be paid by the landlord; and

WHEREAS, rising rent prices may be due to rising property taxes, tenants should be informed as to the amount of property taxes paid by Landlord each year for the property rented by tenant; and

WHEREAS, Section 83.50, Florida Statutes, requires landlords to make specific disclosures to tenants, such as the availability of fire protection in buildings that meet certain criteria; and

WHEREAS, there should also be a law requiring landlords to provide a statement to each tenant at the time of execution of the lease agreement with tenant and, subsequently, on a date certain each year thereafter informing tenant of all the costs and expenses, including taxes and insurance, paid by landlord for the property rented by tenant,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to pass legislation requiring landlords provide a statement to each tenant at time of execution of lease agreement and, subsequently, on a date certain each year thereafter informing tenant of all the costs and expenses, including taxes and insurance, paid by landlord for the property rented by tenant.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County’s state lobbyists to advocate for the issue identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2010 and 2011 state legislative packages.

The Prime Sponsor of the foregoing resolution is Commissioner Carlos A. Gimenez. It was offered by Commissioner **Jose “Pepe” Diaz**, who moved its adoption. The motion was seconded by Commissioner **Dorrin D. Rolle** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	absent	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of April, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS



HARVEY RUVIN, CLERK

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "M.S.", written over a horizontal line.

Martin W. Sybblis