Application No. 9 Countywide

APPLICATION SUMMARY

Applicant/Representative:

Location:

Requested Text Changes:

Miami- Dade County Department of Planning and Zoning 111 NW 1 Street, Suite 1110 Miami, Florida 33128-1972

Countywide

Amend the Housing Element to include a new objective and related policies that allow efforts to enhance and preserve mobile home communities as affordable housing options

Amendment Type:

RECOMMENDATIONS

Staff:

Staff:

Community Councils:

Planning Advisory Board (PAB) acting as Local Planning Agency:

Board of County Commissioners:

ADOPT AND TRANSMIT (August 25, 2009)

NOT APPLICABLE

Standard Text Amendment

ADOPT AND TRANSMIT (October 5, 2009)

ADOPT AND TRANSMIT with memorandum dated November 3, 2009, that was submitted to the County's Attorney's Office by Jeffrey Bercow, Esq., representing Liberty Investments, Inc. (November 4, 2009)

ADOPT AS TRANSMITTED WITH ADDITIONAL CHANGE (March 15, 2010)

Final Recommendation of PAB acting as Local Planning Agency:

Final Action of Board of County Commissioners:

TO BE DETERMINED

TO BE DETERMINED

STAFF ANALYSIS AND RECOMMENDATION

Revised Recommendation (March 15, 2010)

Staff recommends: **ADOPT AS TRANSMITTED WITH CHANGE** the proposed amendment based on the following:

1. The reasons stated in the Initial Recommendations for Adopt and Transmit are still valid. The proposed amendment seeks to ensure consistency with State laws governing the closing of mobile home parks, the approval of development/redevelopment applications, and the relocation of mobile home residents. Mobile homes parks in Florida are generally governed by Chapter 723 of Florida Statues on Mobile Home Park Lot Tenancies. The proposed amendment requires proof of compliance with the regulations in Chapter 723 prior to the approval of any action to develop or redevelop a mobile home park. Mobile home park owners must submit documentation indicating compliance with notice requirements, eviction procedures, relocation efforts, as well as an inventory of suitable affordable housing. The intent of the proposed amendment is to provide a framework for assuring that the State's requirements are addressed and that the rights of mobile home park owners and mobile home residents are protected. Staff's proposed further changes, highlighted below, to proposed Policies HO-7B, HO-7D, HO-7E and HO-7F are intended to further clarify and/or correct the intent of the policies and address the Department of Community Affairs comment on the transmitted application.

New Information

Since the BCC transmittal public hearing on November 4, 2009, the Department of Planning and Zoning has received additional information regarding Application no. 9 in the Florida Department of Community Affairs (DCA) "Objections, Recommendations and Comments Report", (ORC), that was issued on March 15, 2010. The DCA identified a Comment 2 (Application 9) that stated proposed policies HO-7E and HO-7F appear to add requirements over and above Chapter 723, F.S., which relates to the regulation of mobile home parks. This issue is beyond the regulatory authority of the Department of Community Affairs and is offered only as a comment for potential consideration by the County.

Further Proposed Staff Changes to Transmitted Application

The following are further proposed Staff changes to the transmitted application. Further proposed changes are indicated by double strike through lines for words deleted, and proposed additions are indicated by double underscoring words.

1. Add Objective HO-7 and Policies HO-7A to HO-7G, on page III-6, and renumber the subsequent policies in the Housing Element accordingly:

Objective HO-7

Miami-Dade County shall support the preservation and enhancement of existing mobile home communities as an additional source of affordable housing options for extremely low through moderate income households.

- Policy HO-7A: Miami-Dade County will support programs that assist residents of existing mobile home communities in purchasing their parks and forming resident owned communities.
- Policy HO-7B: Miami-Dade County shall develop a program and applicable regulations allowing the replacement of existing mobile home units with mobile homes, manufactured homes, or modular homes, or permanent residential structures, provided the replacement residential units meet applicable design and building standards.
- Policy HO-7C: Miami-Dade County shall encourage the renovation, rehabilitation, or replacement, of existing mobile home units to ensure that housing units in mobile home communities comply with all applicable health, safety, and building standards.
- Policy HO-7D: All legal nonconforming uses and structures in existing mobile home parks shall be allowed to be renovated or rehabilitated, if they comply with plans of record, approved certificates of use, and all applicable provisions of the Zoning Code.and applicable building codes.
- Policy HO-7E: Any official action to develop or redevelop mobile home park sites to residential or non-residential uses shall, at a minimum, require the following:
 - a. Determination that the proposed development action would not cause the displacement of mobile home residents or that there is suitable affordable housing available for all affected residents. <u>Suitable affordable housing is defined as housing units located</u> within a 10 mile radius of the mobile home park that is vacant at the time of the application and that is affordable to the residents of the subject property, including mobile home unit owners and tenants. Housing affordability shall be determined using the definition of affordability and income limit categories described in the Housing Element of the CDMP and updated annually by HUD.
 - b. Description of actions the mobile home park owner will take to assist mobile home owners and tenants in finding suitable housing for relocation, including referrals to public and private affordable housing resources.
 - c. Actions the mobile home park owner will take to minimize the hardship related to relocation.
 - d. <u>If the mobile home park is vacant for 24-months or less, approval</u> shall be provided only upon the submittal of evidence demonstrating that all former residents were relocated to suitable housing and were not displaced under duress or coercion.

- Policy HO-7F: By <u>2010</u> 2012, Miami-Dade County shall develop a program requiring any <u>residential</u> development or <u>residential</u> redevelopment of a mobile home park to designate at least 20 percent of the development for affordable housing, where feasible. Affordable housing shall be determined using the definitions described in the Housing Element of the CDMP.
- Policy HO-7G: Miami-Dade County shall develop procedures for coordinating County services related to mobile home parks, including activities related to the closing of mobile home parks and the relocation of its residents.

Initial Recommendation (August 25, 2009)

In the Initial Recommendations Report published on August 25, 2009, the Staff recommended: **ADOPT AND TRANSMIT** the proposed amendment based on the following considerations summarized below:

Principal Reasons for Recommendations

- 2. On October 2007, the Miami-Dade County Board of County Commissioners (BCC) adopted Resolution R-1161-07 imposing a temporary moratorium (120 days) on the redevelopment of mobile home parks, and directed the County Manager to provide recommendations for mitigating the loss of affordable housing resulting from the conversion of mobile home parks. Since 2007, the moratorium has been extended five times, and several recommendations have been presented to the BCC, including a recommendation to amend the Comprehensive Development Master Plan (CDMP). Although the Comprehensive Development Master Plan (CDMP). Although the Comprehensive that are specific to the preservation and enhancement of mobile home parks. The proposed amendment includes policies that will support the preservation and enhancement of existing mobile home communities as viable options for affordable housing, while ensuring the health and safety of such communities.
- 3. Mobile home parks play a key role in providing affordable housing for extremely-low and low-income households. The problem is that Miami-Dade County does not have an adequate supply of affordable housing to meet the existing demand of its residents, and the loss of mobile home parks has compounded this issue. Indeed, since 2000, the inventory of affordable housing units in Miami-Dade County has declined steadily. Factors such as mobile home and condominium conversions have served to diminish the stock of affordable housing, particularly among households categorized as very low income. Between 2002 and 2005, over 24,000 rental units were lost due to condominium conversions. In addition, Miami-Dade County's mobile home supply declined from 15,338 in 2000 to approximately 14,099 in 2007, a loss of 8 percent (1,239 units). These factors have made it increasingly difficult for low-income residents to find housing options that they can afford. The proposed amendment seeks to ensure that mobile home residents displaced due to a redevelopment action will be able find suitable affordable housing.
- 4. Although the intent of the proposed amendment is to preserve existing mobile home communities as viable sources of affordable housing, it is important to note that the age and condition of existing mobile home units in Miami-Dade County is a concern. Of the 40

existing mobile home parks located in unincorporated Miami-Dade County, half were established before 1950; only two of the mobile home communities were established after 1976. The problem is that older units are more likely to have issues related to deferred maintenance, building code violations, and hurricane vulnerability. Furthermore, mobile home units built before 1976 do not meet the U.S. Department of Housing and Urban Development (HUD) Federal Manufactured Home Construction and Safety Standards. In order to address these concerns, the proposed amendment encourages the renovation and rehabilitation of existing mobile home units. The amendment also allows mobile home units to be replaced with manufactured homes, permanent residential structures or another mobile home unit that meets current health, safety, and building standards of applicable codes.

5. The proposed amendment seeks to ensure consistency with State laws governing the closing of mobile home parks, the approval of development/redevelopment applications, and the relocation of mobile home residents. Mobile homes parks in Florida are generally governed by Chapter 723 of Florida Statues on Mobile Home Park Lot Tenancies. The proposed amendment requires proof of compliance with the regulations in Chapter 723 prior to the approval of any action to develop or redevelop a mobile home park. Mobile home park owners must submit documentation indicating compliance with notice requirements, eviction procedures, relocation efforts, as well as an inventory of suitable affordable housing. The intent of the proposed amendment is to provide a framework for assuring that the State's requirements are addressed and that the rights of mobile home park owners and mobile home residents are protected.

REQUESTED TEXT AMENDMENT

The following are the proposed text changes for the Housing Element of the CDMP of the CDMP.

- A. Revisions to the Housing Element
 - 2. Add Objective HO-7 and Policies HO-7A to HO-7G, on page III-6, and renumber the subsequent policies in the Housing Element accordingly:

Objective HO-7

<u>Miami-Dade County shall support the preservation and enhancement of existing mobile</u> home communities as an additional source of affordable housing options for extremely low through moderate income households.

- Policy HO-7A: Miami-Dade County will support programs that assist residents of existing mobile home communities in purchasing their parks and forming resident owned communities.
- Policy HO-7B: Miami-Dade County shall develop a program and applicable regulations allowing the replacement of existing mobile home units with mobile homes, manufactured homes, modular homes, or

permanent residential structures, provided the replacement residential units meet applicable design and building standards.

- Policy HO-7C: Miami-Dade County shall encourage the renovation, rehabilitation, or replacement, of existing mobile home units to ensure that housing units in mobile home communities comply with all applicable health, safety, and building standards.
- Policy HO-7D: All legal nonconforming uses and structures in existing mobile home parks shall be allowed to be renovated or rehabilitated, if they comply with plans of record, approved certificates of use, and all applicable provisions of the Zoning Code.
- Policy HO-7E: Any official action to develop or redevelop mobile home park sites to residential or non-residential uses shall, at a minimum, require the following:
 - e. Determination that the proposed development action would not cause the displacement of mobile home residents or that there is suitable affordable housing available for all affected residents. Suitable affordable housing is defined as housing units located within a 10 mile radius of the mobile home park that is vacant at the time of the application and that is affordable to the residents of the subject property, including mobile home unit owners and tenants. Housing affordability shall be determined using the definition of affordability and income limit categories described in the Housing Element of the CDMP and updated annually by HUD.
 - f. <u>Description of actions the mobile home park owner will take to</u> <u>assist mobile home owners and tenants in finding suitable housing</u> <u>for relocation, including referrals to public and private affordable</u> <u>housing resources.</u>
 - g. Actions the mobile home park owner will take to minimize the hardship related to relocation.
 - h. <u>If the mobile home park is vacant for 24 months or less, approval</u> <u>shall be provided only upon the submittal of evidence</u> <u>demonstrating that all former residents were relocated to suitable</u> <u>housing and were not displaced under duress or coercion.</u>
- Policy HO-7F: By 2010, Miami-Dade County shall develop a program requiring any development or redevelopment of a mobile home park to designate at least 20 percent of the development for affordable housing, where feasible. Affordable housing shall be determined using the definitions described in the Housing Element of the CDMP.

Policy HO-7G: Miami-Dade County shall develop procedures for coordinating County services related to mobile home parks, including activities related to the closing of mobile home parks and the relocation of its residents.

3. Add Objective HO-7 to Goal II of the Monitoring Program on page III-10, and renumber the subsequent policies accordingly:

Goal II, Objective HO-11

Inventory of existing mobile home communities to include: number of mobile home units; permits to renovate, rehabilitate or replace existing mobile home units; code violations per mobile home community; and number of mobile home communities that have closed or are vacant.

Consistency Review with CDMP Goals, Objectives, Policies, Concepts and Guidelines

The following is a list of the objectives and policies in the CDMP that are consistent with the proposed text amendment:

Housing Element

- Goal II Throughout Miami-Dade county identify and provide affordable housing opportunities from within the existing housing stock and ensure its efficient use through rehabilitation and renovation, and facilitate adaptive conversion of non-residential structures to housing use, including for very low, low, and moderate-income households
- Objective HO-2. Designate by the year 2025 sufficient land (+/-25,000 acres) to accommodate sites at varying densities for a variety of housing including manufactured homes, with special attention directed to affordable units for extremely low, very low, low, and moderate-income households, including workforce housing.
- Policy HO-2B. Allow manufactured homes within residential areas throughout the County, provided they meet design and building standards and are generally compatible with the surrounding residential development.
- Policy HO-2C. Foster a diversity of affordable housing types defined by the County's Comprehensive Development Master Plan to include single-family detached housing, single-family attached and duplex housing, multi-family housing and manufactured homes.

- Policy HO-2D. Continue to promote zoning code changes that allow housing product opportunities such as accessory apartments, single room occupancy units (SRO's), elderly residential hotels, and the mixing of unit types.
- Objective HO-5. Reduce the number of substandard housing units in the County by encouraging the rehabilitation or conservation of the existing housing stock, including historic structures, and provide that an increased number of very low, low and moderate-income units comes from housing rehabilitation and adaptive re-use of non-residential structures.
- Policy HO-5A. Consistently enforce minimum building and housing code standards throughout the County so that all new and rehabilitated housing, public or private, is in compliance.
- Objective HO-7. Bring about housing design and development alternatives that are aesthetically pleasing, encourage energy efficiency and enhance the overall health, safety and general welfare of County residents.
- Policy HO-7B. Continue supporting development of new and innovative economically feasible construction techniques, materials and manufacturing methods that maintain or improve housing structural quality.
- Policy HO-10B. Encourage the private sector to provide housing assistance to families and individuals displaced through private sector actions.
- Policy HO-10C. Assure the availability of suitable emergency shelters, transitional housing, and relocation programs for very low, low- and moderate-income populations who have lost their housing, especially when displacement occurs due to redevelopment or natural disaster.

Land Use Element

- Objective LU-1. The location and configuration of Miami-Dade County's urban growth through the year 2025 shall emphasize concentration and intensification of development around centers of activity, development of well designed communities containing a variety of uses, housing types and public services, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.
- Policy LU-1F. To promote housing diversity and to avoid creation of monotonous developments, Miami-Dade County shall vigorously promote the inclusion of a variety of housing types in all residential communities through its area planning, zoning, subdivision, site planning and housing finance activities, among others. In particular, Miami-Dade County shall review its zoning and subdivision practices and regulations and shall amend them, as practical, to promote this policy.
- Policy LU-1K. Miami-Dade County will maintain and enhance the housing assistance and housing programs addressed in the Housing Element as a means to improve conditions of extremely low, very low, low and moderate income residents. This includes the provision of affordable workforce housing.

- Objective LU-11. Miami-Dade County shall take specific measures to promote redevelopment of dilapidated or abandoned buildings and the renovation, rehabilitation or adaptive reuse of existing structures.
- Policy LU-11C. Miami-Dade County shall continue to utilize its Community Redevelopment Area (CRA) Program and federal programs such as the Community Development Block Grant and the HOME program to facilitate redevelopment of dilapidated or abandoned buildings and the renovation, rehabilitation or adaptive reuse of existing structures in eligible areas.
- Policy LU-11C. Miami-Dade County shall continue to utilize its Community Redevelopment Area (CRA) Program and federal programs such as the Community Development Block Grant and the HOME program to facilitate redevelopment of dilapidated or abandoned buildings and the renovation, rehabilitation or adaptive reuse of existing structures in eligible areas.



MEMORANDUM

TO: Joni Armstrong Coffey, Assistant County Attorney

FROM: Jeffrey Bercow, Esq. Matthew Amster, Esq. MC

- SUBJECT: Application No. 9, April 2009 CDMP Cycle County Amendment to Housing Element Regarding Mobile Home Parks - Preemption Arguments
- DATE: November 3, 2009

This firm represents Liberty Investments, Inc. ("Owner"), the owner of the Colonial Acres Mobile Home Park located at 9674 NW 10 Avenue, Miami-Dade County, Florida. While the County's goal "to support the preservation and enhancement of existing mobile home communities as viable options for affordable housing," as stated in Application No. 9 of the April 2009 Comprehensive Development Master Plan (CDMP) Cycle, the Owner believes that the proposed Polices HO-7E and HO-7F would be void and unenforceable due to the State Legislature expressly preempting the regulation of mobile home parks.

<u>Doctrine of Preemption</u>. Preemption is where the state legislature reserves to itself exclusive regulation of a subject, thereby barring local governments from taking any action on such a subject. <u>See Phantom of Clearwater, Inc. v. Pinellas County</u>, 894 So. 2d 1011, 1018 (Fla. 2d DCA 2005), "Preemption essentially takes a topic or a field in which local government might otherwise establish appropriate local laws and reserves that topic for regulation exclusively by the legislature."

<u>Types of Preemption</u>. There are two types of preemption: express and implied. Express preemption is where the State Legislature makes a specific statement preempting all local action on a subject. <u>See Phantom</u>, 894 So. 2d at 1018, "Express preemption of a field by the legislature must be accomplished by clear language stating that intent." <u>See also Santa Rosa County v. Gulf Power Co.</u>, 635 So. 2d 96, 101 (Fla. 1st DCA 1994) (<u>citing Hillsborough County v. Fla. Rest. Ass'n</u>, 603 So. 2d 587, 590 (Fla. 2d DCA 1992)), express preemption requires that a statute contain "specific language of preemption directed to the particular subject at issue."

Exhibitin Applic. #9 Gel=E Bercow)

Joni Armstrong Coffey, Assistant County Attorney Page 2 of 5 November 3, 2009

Implied preemption is where, in the absence of a specific statement, the state legislature clearly intended to preempt all local action on a subject. See Barragan v. City of Miami, 545 So. 2d 252, 254 (Fla. 1989) (citing Tribune Co. v. Cannella, 458 So. 2d 1075 (Fla. 1984)), "preemption need not be explicit so long as it is clear that the legislature has clearly preempted local regulation of the subject." Also, Phantom, 894 So. 2d at 1019 guoting Tallahassee Mem'l Reg'l Med. Ctr., 681 So. 2d at 831, preemption is implied "when the 'legislative scheme is so pervasive as to evidence an intent to preempt the particular area, and where strong public policy reasons exist for finding such an area to be preempted by the Legislature.' "Further, Halpern v. Sullivan County, 574 N.Y.S.2d 837, 838 (N.Y. App. Div. 1991) (quoting Albany Area Builders. Ass'n v. Town of Guilderland, 546 N.E.2d 920, 922 (N.Y. 1989)), preemption " 'may be implied from the nature of the subject matter being regulated and the purpose and scope of the State legislative scheme, including the need for State-wide uniformity in a given area.' "

<u>Mobile Home Park Regulations are Express Preemption</u>. On its face, Florida Statutes Chapter 723 specifically preempts the relationship between mobile home park landlords and tenants as "treated by or falling within the purview of this chapter [723]." <u>See</u> Sections 723.004(2) and (3), F.S. below. It also expressly prohibits any local government action (law, rule, regulation or ordinance) with respect to the preempted matters.

- Section 723.004(2), F.S. There is hereby expressly preempted to the state all regulation and control of mobile home lots rents in mobile home parks and all those other matters and things relating to the landlord-tenant relationship treated by or falling within the purview of this chapter. Every unit of local government is prohibited from taking any action, including the enacting of any law, rule, regulation, or ordinance, with respect to the matters and things hereby preempted to the state. (emphasis added)
- Section 723.004(3), F.S. It is expressly declared by the Legislature that the relationship between landlord and tenant as treated by or falling within the purview of this chapter is a matter reserved to the state and that units of local government are lacking jurisdiction and authority in regard thereto. All local statutes and ordinances in conflict herewith are expressly repealed. (emphasis added)

<u>Consequences of Express Preemption</u>. Under express preemption, no additive regulations may be imposed. In other words, local governments may **not** regulate matters that the State has expressly preempted. Local governments may only regulate concurrently where there is no preemption and no conflict with State law. <u>See City of</u>

<u>Hollywood v. Colon Bernard Mulligan</u>, 934 So. 2d 1238 (Fla. 2006), under its broad home rule powers, a municipality may legislate concurrently with the Legislature on any subject which has **not** been expressly preempted to the State (emphasis added). <u>See also Wyche v. State</u>, 619 So. 2d 231, 237-38 (Fla. 1993) (citing City of Miami Beach v. <u>Rocio Corp.</u>, 404 So. 2d 1066, 1069 (Fla. 3d DCA 1981)); <u>moreover Barragan v. City of</u> <u>Miami</u>, 545 So. 2d 252, 254 (Fla. 1989), stating that the municipal home rule powers act "limits cities from legislating on any subject expressly preempted to state government by general law." <u>Lastly, W. Palm Beach Ass'n of Firefighters, Local Union 727 v. Bd. of</u> <u>City Comm'rs</u>, 448 So. 2d 1213, 1214 (Fla. 4th DCA 1984), "The principle that a municipal ordinance is inferior to state law remains undisturbed. Although legislation may be concurrent, enacted by both state and local governments in areas *not preempted by the state*, concurrent legislation by municipalities may not conflict with state law. If conflict arises, state law prevails." <u>Id</u>. at 1214-15 (<u>quoting Rocio</u>, 404 So. 2d at 1070, (emphasis added)).

<u>Policies HO-7E and HO-7F</u>. Policies HO-7E and HO-7F concern the landlordtenant relationship and related matters, and either repeat requirements already codified in State Law or seek to add requirements over and above State Law. The specific policies are preempted as follows:

- Policy HO-7E: Any official action to develop or redevelop mobile home park sites to residential or non-residential uses shall, at a minimum, require the following:
 - a. Determination that the proposed development action would not cause the displacement of mobile home residents or that there is suitable affordable housing available for all affected residents. Suitable affordable housing is defined as housing units located within a 10 mile radius of the mobile home park that is vacant at the time of the application and that is affordable to the residents of the subject property, including mobile home unit owners and tenants. Housing affordability shall be determined using the definition of affordability and income limit categories described in the Housing Element of the CDMP and updated annually by HUD.

Preempted: 723.083, F.S., already requires a determination "that adequate mobile home parks or other suitable facilities exist for relocation of the mobile home owners" prior to approval of any proposed development action that would displace mobile home park tenants. Changing "mobile home owners" to "all affected residents" significantly broadens protections provided by State

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Law. Defining "suitable affordable housing" and "housing affordability" creates new requirements over and above Section 723.083, F.S.

b. Description of actions the mobile home park owner will take to assist mobile home owners and tenants in finding suitable housing for relocation, including referrals to public and private affordable housing resources.

Preempted: Sections 723.0612 and 723.061(1)(d), F.S., provide for notice of change in use and eviction for change in use respectively when a mobile home park owner intends to close all or part of a mobile home park. Sections 723.06116 and 723.0612, F.S., also describe the assistance mobile home park owners provide to the mobile home tenants through payments to and by the Florida Mobile Home Relocation Corporation. As such, this sub-policy seeks to add requirements to the State Law.

c. Actions the mobile home park owner will take to minimize the hardship related to relocation.

Preempted: For the same reasons stated for sub-policy b. above, Chapter 723 addresses how mobile home park owners handle the relocation of the mobile home tenants.

d. If the mobile home park is vacant for 24 months or less, approval shall be provided only upon the submittal of evidence demonstrating that all former residents were relocated to suitable housing and were not displaced under duress or coercion.

Preempted: As described above, Sections 723.083, 723.061(1)(d) and 723.0612, F.S., state the required actions by a mobile home park owner for the relocation of the mobile home park tenants. Therefore, this sub-policy seeks to expand the scope of the State Law.

 Policy HO-7F: By 2010, Miami-Dade County shall develop a program requiring any development or redevelopment of a mobile home park to designate at least 20 percent of the development for affordable housing. where feasible. Affordable housing shall be determined using the definitions described in the Housing Element of the CDMP.

Preempted: Section 723.083, F.S., states that the only requirement for a mobile home park owner to close a park due to a change in use is to determine that

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noradian di Na Mari suitable affordable housing exists for the relocation of the existing tenants. This Policy seeks to add a restriction onto the right of mobile home park owners to effectuate a change in use of the mobile home park under State Law.

<u>Conclusion</u>. The provisions of proposed Policies HO-7E and HO-7F in Application No. 9 concern "mobile home lots rents in mobile home parks and all those other matters and things relating to the landlord-tenant relationship" as expressly preempted by the State Legislature in Sections 723.004(2) and (3), F.S. As such, these are matters reserved to the State and the County may not regulate them in any way. Therefore, Policies HO-7E⁻ and HO-7F, if adopted, would be void and unenforceable. Thank you for your time and consideration. As always, I may be reached directly at (305) 377-6220.