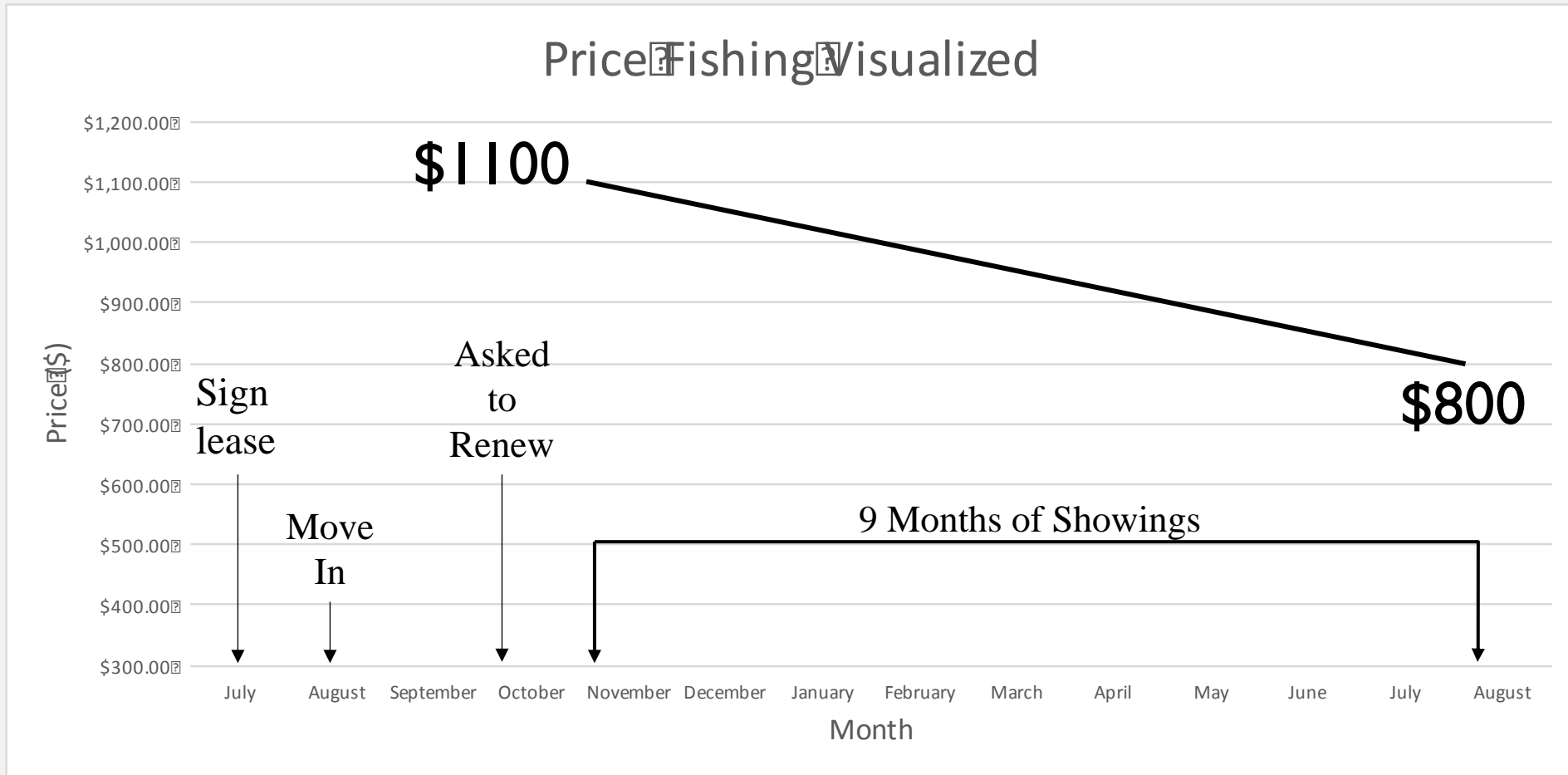


# STUDENT COMMUNITY RELATIONS ADVISORY BOARD OFFICIAL RECOMMENDATION FOR GAINESVILLE CITY COMMISSION

Local Ordinance (Art. 8 §2(b) Fla Con. “Municipal Purpose”) expressly including:

1. **48 hours notice** provided to tenant before a landlord can show/enter the property.
2. Requirement that all showings take place at a **defined reasonable time**, i.e. (9AM-5PM)
3. **Explicit restriction on the number of times landlords can show a property in the first half of the lease** (i.e. 2 times per month with ≥48 hours notice)
4. **Explicit penalty for disregard of the ordinance**
  1. 2 months rent OR double tenant’s damages (whichever is greater) PLUS attorney’s fees
5. Requirement for landlords to include the **name of the ordinance and where it can be found online in every lease**. (Minimum size 12 font, bolded and underlined) OR require landlords to attach the ordinance to every lease in Gainesville.
  1. \$200 Fee if not attached to the lease or included therein.
6. Restriction on landlord’s ability to contract out of this local law or indemnify themselves.
7. Identify that “**the proper remedy for these damages is through civil court**”
8. Inform the reader of the ordinance that “Student Legal Services (in the Reitz Union) is available to help with this process at little to no charge for University of Florida students.”
9. Provide for prevailing party Attorney’s Fees

# LANDLORDS ARE USING UNENFORCEABLE LEASES TO DISSUADE TENANTS FROM ACTING ON THEIR RIGHTS



# CONSULTING THE LEASE

## Alligator Realty, Inc.

- Tenant fully understands that during our prime rental season (Nov 1<sup>st</sup> through April 30th), **there are times where you may NOT be notified** prior to management showing your unit.

## Campus Realty Group, Inc.

- Tenant agrees to allow and provide the Landlord with **access to the Entire premises at all reasonable times** for purposes of ... showing the Premises to prospective buyers, or showing the Premises to prospective renters.
  - (8AM – 8PM)

## Circa Properties, LLC

- **We have access at all times** in emergencies and at **reasonable times** (including but not limited to UF vacation periods) to inspect unit, ... and to show unit to prospective purchasers or renters.
- **(No mention of notice)**

## Trimark Properties

- The exercise of the reserved rights (Effectively all rights) of the Landlord shall never be deemed an eviction or disturbance of the Resident's peaceable use and possession of the Premises and **shall never render the Landlord liable** in any manner to Resident or any person in the Premises.



# IS THIS LEGAL?

## **Fla. Stat. 83.53 Landlord's access to dwelling unit.**

- (1) The **tenant** shall not **unreasonably** withhold consent to the landlord to enter the **dwelling unit from time to time** in order to inspect the premises; make necessary or agreed repairs, decorations, alterations, or improvements; supply agreed services; or **exhibit the dwelling unit** to prospective or actual purchasers, mortgagees, tenants, workers, or contractors.
- (2) ...
- (3) **The landlord shall not abuse the right of access nor use it to harass the tenant.**



# STANDING FOR RECOMMENDATION

## **Student Community Relations Advisory Board**

### Functions, powers, and duties\*

(c) To review, discuss, and **forward recommendations** as appropriate, on issues, concerns, and initiatives relevant to students and non-students.

(g) To be a knowledgeable liaison between the **city commission** and the students and non-students of Gainesville.

(i) To **ensure that student issues are addressed** by providing a link between the students, non-students, and the city commission.

\*Ord. No. 060431, § 1, 12-11-06, Sec. 2-430.55.