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June 30, 2022

Dear Valued Clients:

Re: Miya's Law Changes to Florida Statute Chapter 83

Dear Valued Clients:

Miya's Law was recently signed by the Governor which includes some provisions that go into effect on July 1, 2022. This correspondence will help explain your responsibilities in complying with this law.

One provision of the bill creates a new section of Chapter 83 by adding in F.S. 83.515. This provision instructs landlords to require that all employees undergo a background screening performed by a consumer reporting agency done in accordance with the federal Fair Credit Reporting Act as a condition of employment. Certain criminal offenses found in the criminal background check will disqualify a person from employment. While this law is located in the landlord/tenant statute, it is not necessarily a landlord/tenant issue. As this office does not practice labor law, we strongly recommend that you or your corporate office consult with an attorney that handles these matters to determine the best way forward to comply with this law.

Effective immediately F.S. 83.53 is changed from 12 hours' notice to 24 hours' notice. We realize that many of you already provide no less than 24 hours' notice and some of you actually state that time period in the lease agreement, so this change should not be problematic. Additionally, as we have recommended in the past, unless you have specific permission to enter for a work order, we recommend that you give this 24 hours' notice prior to entry to perform any work orders requested by the resident.

The other section of the law pertinent to your industry is that starting in January 1, 2023, you must establish policies and maintain a log accounting for the issuance and return of all keys for each dwelling unit as well the storage and access to unissued keys.

Please note that these apartment key logs as well as the employee background screening files are subject to the Department of Business and Professional Regulations annual inspection of apartments.

If you have any questions at all about this law, please do not hesitate to contact us.

Sincerely,

Kristine Sawyers, Esq.
For the Firm