

Dear Managers:

Please find enclosed 30 day notice to be used for Section 8 Non-Payment of Rent. This replaces the 10 day notice which is normally in effect, which contained within the 10 day notice period includes the 3 days and the 5 day mail time plus one weekend.

The new notice requires 30 days according to the CARES Act rather than the 3 day notice previously required for all CARES Act properties. This 5 day notice period has to be tacked on to the 30 day notice period required by the CARES Act. This is mailing required pursuant to Florida Rules of Civil Procedure 1.090 for section 8. Thus, when serving and mailing the notice both to the tenant and the Housing Authority, you should count 30 days plus 5 days mail time in order to fill in the effective date that that notice ends. It is important not to include the date of service upon the tenant in the 35 day period. Please do not let the notice expire on a weekend or a holiday, please tack on the extra days, if necessary. I understand this is onerous and requires the use of a calendar so you do not make a mistake concerning months with 28 days such as February or 30 days such as June.

If I can be of further assistance to you, please let me know.

Sincerely,

Kenneth J. Lowenhaupt, Esq.

Hi,

Please see attached notice for non payment of rent for housing residents,

They must be served 3 ways

Mailed to housing (regular mail)

Mail to resident (regular mail)

Serve to the resident. If you cannot personally serve the first attempt, you can go back and post on the door

We recommend only including the residents portion of rent and the late fee (as long as the lease deems the late fee as "additional rent")

Section 8 residents receive free legal aid. Therefore, we have to be precise when filing on the notice.

Please let me know if you have any other questions

Thanks

30-(Thirty) DAY NOTICE TO PAY OR VACATE/ Section 8

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and all others in possession

You are hereby notified that you are indebted to us in the sum of \$ \_\_\_\_\_ for the rent and use of the premises at \_\_\_\_\_

County, Florida, now occupied by you. We demand payment of the rent or possession of the premises within 30 days from the date of delivery of this notice, to wit: on or before the \_\_\_\_\_ day of \_\_\_\_\_, 21

This notice period reflects the time period required for mailing pursuant to F.R.C.P. 1.090. You may present a defense if a judicial proceeding is instituted.

If payment is not made by the date indicated in this notice, your tenancy shall be terminated effective on that date.

Manager: \_\_\_\_\_

Owner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Check

- ( ) By personally serving same upon said resident
- ( ) By posting same at the above described premises in the absence of said resident.
- ( ) By mail to \_\_\_\_\_ Housing Authority on \_\_\_\_\_
- ( ) By mail regular/certified Tenant on \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

By: \_\_\_\_\_