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HURRICANE ADVISORY

To All Resident Managers:

Please be advised that this office has received many calls concerning the responsibilities of the management companies in the event a hurricane should strike a particular property. As a result of those requests, I have prepared this correspondence regarding your responsibilities.

Once a hurricane watch is issued for a particular area, it is in the interest of the landlord to remove all objects which are prone to become missiles. Such objects would include deck chairs, pool equipment, small potted plants, unattached benches and tables, and other such items. Secondly, notices should be prepared to be passed out or posted on every resident's door concerning the necessity of moving all objects not fixed to the premises from balcony areas or breezeways. These notices should be passed out when a hurricane watch is issued.

While the landlord is not liable for acts of God, such as a hurricane, it is liable for any objects which are negligently left about the property which become missiles in hurricane force winds and could cause damage or injury. If your complex is located in an evacuation area, your notice to the residents should also note the designated shelter for the area. It should also include the warning that if they choose to remain at the property that they would be doing so at their own risk.

In the event a hurricane does strike your property and cause substantial damage to individual units, your duty as a landlord is to reduce rent based upon degree of uninhabitability of the unit in questions. If substantial damage does occur on the property, please be certain not to sign any contracts with independent adjusters or contractors without first contacting this office.

If you need more information concerning these matters, please feel free to contact this office. As always we stand ready to assist our clients in any way possible.

Sincerely,

Kenneth J. Lowenhaupt, Esq.
For the Firm