



411630

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2010	.	
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The Committee on Banking and Insurance (Ring) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 78 and 79  
insert:

Section 2. Subsections (10) and (11) are added to section 83.49, Florida Statutes, to read:

83.49 Deposit money or advance rent; duty of landlord and tenant.—

(10) Upon the filing of foreclosure, the landlord or mortgagor or its agent shall tender to the registry of the court or, at the foreclosing entity's election, to the foreclosing



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13 entity, all funds held for advance rent or security deposits for  
14 tenants of the mortgaged property, which shall continue to be  
15 held for the use and benefit of the tenants.

16 (11) Failure by the landlord or mortgagor or its agent to  
17 comply with the provisions of subsection (1) or subsection (10)  
18 constitutes a theft as defined in s. 812.014.

19

20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22

23 Delete line 18

24 and insert:

25

26 act; amending s. 83.49, F.S.; requiring the landlord  
27 or mortgagor or its agent to tender to the registry of  
28 the court or to the foreclosing entity all funds held  
29 for advance rent or security deposits at the time of  
30 foreclosure; directing that such funds continue to be  
31 held for the use and benefit of the tenants of the  
32 foreclosed property; providing that a landlord or  
33 mortgagor or its agent commits a theft if the landlord  
34 or mortgagor or its agent do not comply with certain  
35 specified provisions of law; providing an effective  
36 date.