

Top 3 Apartment Investor Issues

- **Taxes, taxes, taxes:** The 10% Cap on non-homestead property tax passed the legislature this year. HB 21 and SB 76 will create a joint resolution to place the 10% non-homestead assessment cap language back on the ballot for voters in 2018. Apartment communities are considered non-homesteaded properties and benefit from a cap on how much taxable assessments can be raised each year. If the cap is not reauthorized, then yearly assessments can increase by any amount for non-homestead property. This could mean apartment owners would see a jump in their property taxes in 2019. Drastic property tax increases could also result in a loss of apartment industry jobs and a decrease in ROI.

Housing Discrimination Legislation: Several bills were filed in 2017 that would have allowed a person who alleges housing discrimination to file a civil action for two years after an alleged incident. This is double the current time frame allowed in FL statute. Additionally, all housing discrimination claims must be filed and investigated by the Florida Commission on Human Relations or a local housing discrimination agency before a civil action can occur. This legislation would nullify any investigation and would allow a civil suit to commence immediately.

This legislation was kept out of all committee meetings in 2017- but has been re-filed for the upcoming 2018 session (SB 306).

- **City of Miami & Month to Month Tenancies:** In June of 2017 the City of Miami voted to preempt FL Statute and amend established, statewide, landlord tenant law by increasing the notice requirement for termination of month to month leases from 15 days to 30 days within a rental period.

Meaning: You must now give your tenant a 30 day notice to end a month to month tenancy and the tenant must do the same for a landlord. This is tricky if you happen to give notice on any day other than the 1st of the month- effectively creating a 60 day notice. A 60 notice will halt apartment turnover and impede rent collection in many cases.

This local ordinance was motivated by a tenants rights organization- many of these types of groups (some demanding rent control, changes in eviction law, and halting criminal history screenings) have become increasingly popular thanks to the book Evicted by Harvard Sociologist Matthew Desmond. I would recommend reading it to understand the psychology of these groups.

- **Upcoming 2018 Legislative Session:** FAA is focused on increased funding for affordable housing construction projects, protecting our industry partners in the valet waste collection industry, and hoping to change the 30 notice law and create a statewide preemption so local cities are not able to change landlord tenant law as they see fit.

About Courtney Barnard

Courtney Barnard is the Government Affairs Director for the Florida Apartment Association (FAA) in this role she serves as head policy advisor for state-level issues including property management, affordable housing, maintenance and building codes, and landlord-tenant issues. She advocates at the state and federal level via lobbying efforts regarding multifamily industry issues.

Courtney is a native of California and an alumna of Scripps College, Courtney has also earned a Certificate in Public Policy from The University of Washington and earned a Masters in Political Science from UCF.

Prior to joining FAA, Courtney worked as a Political Representative with Florida Realtors, where she travelled throughout Florida to educate and organize members on public policy issues that affect their business. Courtney has also worked on several campaigns in California, specializing in grassroots mobilization efforts and development of Spanish language campaign outreach materials.

Courtney loves kayaking, hiking and travel. She is currently planning a trip to Iceland.