

Residential Rental Unit Permits Changes: Differences from Landlord Licensing

The effective date of the new requirements is 10/1/21. Permitting cycles will now run from 10/1 to 9/30. Application shall be made at least ten days prior to renting the unit. Renewals shall be submitted on or before September 1st of each year.

A “Regulated Residential Unit” (*or regulated unit*) means a room or rooms located in a condominium, co-op, timeshare, quadraplex, triplex, duplex or single-family dwelling that is rented, or advertised or held out to be rented, for periods of at least 30 consecutive days or one calendar month (whichever is less). This definition expressly excludes public lodging establishments regulated by the state pursuant to F.S. Ch. 509, Pt. I, and dormitories.

“Owners” will be required to provide each occupant with a complete copy (hard or electronic) of the current version of the "Florida's Landlord/Tenant Law" brochure prepared by the Florida Department of Agriculture and Consumer Services, the current version of the "Tenant Bill of Rights and Responsibilities" prepared by the city, and the most recent U.S. Department of Energy Home Energy Score for the regulated unit prepared by the city and provided to the owner, and shall maintain a receipt signed by each occupant confirming they received the above documents. They must also provide a completed self-inspection checklist certifying that the regulated unit complies with the living standards, along with a copy of the HVAC maintenance documentation. If the owner is not local, they must provide a local contact.

Effective January 1, 2021, all regulated residential rental units must meet the minimum standards specified in the IPMC, including an operable carbon monoxide alarm (if natural gas, propane, or fuel oil are used in the unit), and a working fire extinguisher in the kitchen.

Effective October 1st, 2021, new energy efficiency standards include R-19 insulation in the attic (upgraded to R-30 by October 1st, 2026) except where insufficient space or flooring will not allow the installation. Attic access must be weather stripped and insulated with a minimum of R-30. All visible duct joints must be sealed and insulated to a minimum of R-6. Fireplace chimneys must have working doors, dampers or closures. Plumbing must be free of visible leaks. All showerheads must be 2.2 gal/min flow rate or less, as evidenced by imprinting on the showerhead or documentation maintained by the owner. All faucets must have aerators with a 2.2 gal/min flow rate or less, as evidenced by documentation maintained by the owner. All toilets must be 3 gal/flush or less (use of a volume reduction device to achieve this is acceptable) and 1.6 gal/flush or less by October 1, 2026. Water heater(s) have a visible and properly functioning temperature/pressure relief valve (TPRV). Water heater pipes insulated for the first three feet from the unit (excepting gas units). All visible exterior water lines not in enclosed space must be insulated. HVAC system(s) must have maintenance performed by a currently licensed HVAC or mechanical contractor at least once within the past 24 months, as evidenced by documentation maintained by the owner, and have a filter installed that is

appropriately sized for the system(s). A programmable thermostat must be connected to the HVAC system by October 1, 2026. Wall, window, or other single room or small space cooling units must be in good repair, property secured and air-sealed, and with a filter installed that is appropriately sized for the unit(s).

Until October 1, 2021, the city will educate and promote compliance with this article, but will not begin enforcement. Thereafter, the city will begin compliance inspections. The inspections will be conducted on a four-year rolling cycle, with the goal that each regulated unit will be inspected at least once every four years for compliance. In addition, with every other compliance inspection, the city will prepare and provide to the owner a U.S. Department of Energy Home Energy Score for the regulated unit. Inspections may also be conducted more frequently and/or as a result of a complaint received by the city. Notwithstanding the foregoing, the city will investigate complaints filed under the property maintenance code in accordance with the provisions therein.

If upon inspection, the city manager or designee, has reasonable grounds to believe that a regulated unit does not meet the living standard(s) the enforcement procedure set forth in division 6 or division 8 (as applicable) within article V of [chapter 2](#) of the Code of Ordinances will be utilized. In addition, if living standard violation(s) are not corrected and such violation(s) constitute a health, safety or welfare hazard to the occupant, the city manager or designee may revoke the permit. A permit may not be issued, renewed or transferred for a unit with uncorrected living standard violations.

Failure to apply for permit. If the city manager or designee has reasonable grounds to believe that a regulated unit is occupied without a permit in violation of this article, the owner shall be sent a permit application and the owner shall, within 30 days of the date the permit application was sent, either: a) provide evidence that a permit is not required, or b) submit a complete permit application. Failure to either provide evidence that a permit is not required or submit a complete permit application within 30 days of the date the application was sent shall subject the owner(s) to a civil citation and/or the city may seek injunctive relief to prevent the unit from being rented.