

SEVEN DAY NOTICE TO CURE?

Trap Scenario

Brenda rented the perfect apartment in Palm Beach Gardens. She advised the landlord that the windows would not open and there were exposed electrical wires in the living room. The repairs have not been done yet. Her friends told her withhold the rent and put the money in escrow until the landlord completes the repairs. She withheld the rent for February and March. Now she has a 3 Day Notice to Pay/Eviction Notice posted on her door. How could this happen?

Tips

Keep these tips in mind when handling Landlord/Tenant Issues.

- Landlord tenant issues are governed by Chapter 83 of the Florida Statutes. The statute requires landlords to keep the dwelling within building housing and health codes. If you live in a municipality check with the building department to see if they have specific guidelines for landlords. Some require licensing and inspection of the rental property.
- A landlord can modify tenant responsibilities with respect to a single family home or dwelling so be sure to review your lease carefully before signing.
- It is vital to give written notice to the landlord regarding repairs to the unit. This notice is a required step by the statute and protects you should the matter goes to court at a later date. Verbal notice is not sufficient. The statute provides that the tenant gives the landlord a 7 Day Notice to Cure, i.e. 7 days to correct the problem. Failure to address the problem is a violation of both the lease and the law, and gives grounds for withholding rent or vacating the lease.
- Even if you have noted the problems on a move-in sheet it is still important to give the landlord written notice if the repairs are completed.

**For more information, contact Consumer Affairs at 561-712-6600
(Boca/Delray 888-852-7362 toll free)**