



**Planning, Environmental and Development Services
Office of Tenant Services**

NOTICE OF TENANT RIGHTS

Pursuant to Ordinance No. 2023-06 (“Tenant’s Bill of Rights Ordinance”), which went into effect on **March 1, 2023**, landlords with a rental unit located in unincorporated Orange County are required to provide this Notice of Tenant Rights (“Notice”) to residential tenants prior to the commencement of a rental term. For the purposes of this Notice, a tenant includes those persons attempting to occupy or inquiring about occupying, a rental unit.

Disclaimer: This Notice is not exhaustive and is only intended to provide an overview of rental rights for tenants in unincorporated Orange County under applicable federal, state, and local laws. **This Notice is not intended to modify rental agreements or waive any rights thereunder. This Notice is not intended to provide legal advice by either Orange County or the landlord providing this Notice. If a tenant has any questions pertaining to this Notice or a rental agreement, then they may contact an attorney or the Orange County Office of Tenant Services.**

The Landlord’s Responsibility: A landlord is required to provide tenants with this Notice, which has been prepared and published by the Office of Tenant Services, **prior to the start of a rental term**. A landlord may require a tenant to sign and date this Notice affirming the tenant’s receipt of the Notice prior to the start of the rental term or the tenant’s occupation of a rental unit.

KNOW YOUR RIGHTS

The following are a list of rights that a tenant in unincorporated Orange County has under existing federal, state, and local laws:

1. **NOTICE OF RIGHTS:**

A landlord is required to provide tenants with a Notice of Tenant Rights prior to the commencement of a rental term. A landlord may require a tenant to sign and date this Notice of Tenant Rights affirming a tenant’s receipt of this Notice prior to the start of a rental term or a tenant’s occupation of a rental unit.

2. **NOTICE REQUIREMENTS:**

TERMINATION OF MONTHLY AND QUARTERLY TENANCIES: A landlord must provide tenants with a minimum of sixty (60) days’ written notice before terminating a residential tenancy without a specific duration in which the rent is payable on a quarterly or monthly basis (e.g. no written lease agreement).

RENT INCREASE: Residential landlords must provide tenants with a minimum of sixty (60) days’ written notice if the landlord proposes to increase the rental rate by more than 5% either at the end of a lease for a specific term (e.g. those with written lease agreements) or during a tenancy without specific duration (e.g. those without a written lease agreement).

ACCESS TO PROPERTY: Landlords may enter rental units from time to time to inspect, make repairs, supply agreed services such as pest control, or show the unit to prospective purchasers or tenants. Tenants are entitled to reasonable notice, and reasonable times, of a landlord's access to the rental unit for the purpose of repair. "Reasonable notice" for the purpose of repair is notice given at least 24 hours prior to the entry, and reasonable time for the purpose of repair.

A landlord may enter a rental unit at any time to inspect, make repairs, supply agreed services, or show the unit to prospective purchasers or tenants when:

- 1) The tenant gives consent;
- 2) In cases of emergency;
- 3) The tenant unreasonably withholds consent; or
- 4) If the tenant is absent from the premises for a period of time equal to one-half the time for periodic rental payments. If the rent is current and the tenant notifies the landlord of an intended absence, then the landlord may enter only with the consent of the tenant or for the protection or preservation of the premises.

3. **BUILDING CONDITIONS:**

Landlords are generally required to maintain rental units in compliance with applicable building, housing, and health codes which may include working plumbing and heating, pest control, locking doors and windows, and other requirements in accordance with Section 83.51, Florida Statutes. If a tenant has concerns about building condition issues, they may contact Orange County's Non-Emergency Help & Info by dialing 311 or (407) 836-3111.

4. **DISCRIMINATION:**

NON-DISCRIMINATION PROVISIONS: Orange County prohibits certain landlords from discriminating against tenants based on race, color, religion, national origin, disability, marital status, familial status, lawful source of income, sex, sexual orientation, and actual or perceived status as a victim of domestic violence, dating violence, or stalking. Tenants have additional protections under the State and Federal Fair Housing Acts which also prohibit discrimination.

LAWFUL SOURCE OF INCOME: It is unlawful to refuse to rent after the making of a bona fide offer, to refuse to negotiate for the rental of, or otherwise to make unavailable or deny a rental unit to any individual because of their lawful source of income which includes any government housing assistance or subsidy (e.g. Housing Choice Vouchers (Section 8)).

DISABILITY: It is unlawful to discriminate against a person in the rental of housing based on disability. Discrimination includes a landlord's refusal to permit disabled tenants from making reasonable modifications necessary to afford said tenants' equal opportunity to use and enjoy the dwelling; landlords may require reasonable modifications to be made at the expense of the tenant. Discrimination also includes a landlord's refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a disabled tenant equal opportunity to use and enjoy a dwelling.

5. **DEPOSITS AND FEES:**

SECURITY DEPOSIT: Landlords are required to provide tenants with written notice of the manner or location in which the landlord is holding a tenant's advance rent or security deposit. Tenants are entitled to the return of their security deposit within 15 days of vacating the premises for termination of the lease if the landlord **does not** intend to impose a claim on the deposit. If the landlord **does intend** to

impose a claim on the security deposit (e.g. tenant has damaged the dwelling unit), then the landlord has 30 days to give the tenant written notice of the landlord's intent to impose a claim on the deposit and the reason for doing so via certified mail to the tenant's last known mailing address in accordance with Section 83.49, Florida Statutes.

LIST OF TENANTS FEES: Landlords are required to provide tenants with an itemized list of all potential fees that a landlord may charge a tenant in connection with the tenant's use or occupancy of a rental unit or premises, except for rent, which may include, but are not limited to, late fees, pet fees, maintenances fees, parking fees, trash fees, and amenity fees. The List of Tenant Fees must include a description of each tenant fee, the amount that may be charged, and the frequency of which each tenant fee may be charged.

UTILITY FEE ESTIMATES: Tenants may obtain estimates of utility costs from service providers to understand the total cost of a rental unit. Contact information for utility providers is contained in the "Resources" section of this Notice.

6. **PROHIBITED ACTIONS:**

DISRUPTION OF SERVICE: Landlords cannot cause, directly or indirectly, the termination or interruption of any utility service furnished to the tenant, including, but not limited to, water, heat, light, electricity, gas, elevator, garbage collection, or refrigeration, whether or not the utility service is under the control of, or payment is made by, the landlord.

ACCESS TO UNIT: Landlords cannot prevent tenants from gaining reasonable access to the rental unit by any means, including, but not limited to, changing the locks, or using any locking device.

FREEDOM FROM RETALIATORY CONDUCT:

Landlords may not discriminatorily increase a tenant's rent or decrease services to a tenant or bring or threaten to bring an action for possession or other civil action, primarily because the landlord is retaliating against the tenant.

Examples of conduct for which the landlord may not retaliate include, but are not limited to, situations where the tenant has complained to the County for enforcement of a building, housing, or health code or exercised the tenant's rights under local, state, or federal fair housing laws.

7. **CHALLENGE TO EVICTIONS:**

CHALLENGE PROHIBITION: A rental agreement may not waive or preclude a tenant's right to raise defenses to an eviction.

PRIVATE RIGHT OF ACTION: Tenants may seek to enforce certain rights in a court of law.

8. **ENFORCEMENT:**

The County has a right to enforce all provisions of the County Code and the Tenant's Bill of Rights Ordinance.

Affirmation of Receipt

I/We, _____, affirm that

I/We have received a Notice of Tenant Rights on: _____
(Insert Date)

Landlord/Agent Signature Printed Name Date

Tenant signature Printed Name Date

Tenant signature Printed Name Date

**Planning, Environmental and Development Services Department
Office of Tenant Services**

About the Office of Tenant Services (OTS)

OTS assists families and individuals seeking information and resources related to residential landlord-tenant relationships. When residents experience housing instability, it can be difficult to navigate available resources. OTS will act as a clearinghouse and coordinator to ensure that residents have the right tools in hand. This Office is now open to support all residents within unincorporated Orange County. Residents that need OTS’s assistance can contact OTS by:

- Visiting: OTS’s County Webpage at www.ocfl.net/TenantServices
- Calling: Tenant Services Hotline
407-836-7368/407-836-RENT
Monday – Friday, 8:00 a.m. – 5:00 p.m.
Closed on weekends and County holidays.
- Emailing: TenantServices@ocfl.net

It is the policy of Orange County to ensure equal opportunity without discrimination or harassment based on age, race, color, religion, national origin, disability, marital status, familial status, sex, or sexual orientation. Orange County provides equal access and equal opportunity in its programs, services and activities and does not discriminate based on disability.

**Planning, Environmental and Development Services Department
Office of Tenant Services**

The Office of Tenant Services provides a list of the major utility companies that provide services to residents of Orange County. Tenants may contact these companies to request an average cost of monthly utility bills. The agencies may give an estimate for an address for the previous twelve (12) months.

| RESOURCES | |
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| Utility Companies within Orange County | |
| Orange County Utility Department Monday – Friday 8:00 a.m. to 5:00 p.m. Phone: (407) 254-9850 Website: Orangecountyfl.net/Utilities | Orlando Utilities Commission (OUC) Monday – Friday 7:00 a.m. to 6:00 p.m. Phone: (407) 423-9018 Website: OUC.com/Customer-Support/contact-OUC |
| Duke Energy Monday – Friday 7:00 a.m. to 7:00 p.m. Phone: 1-800-700-8744 Website: Duke-Energy.com/CustomerService | Florida Public Utilities Monday – Friday 7:00 a.m. to 7:00 p.m. Phone: 1-800-427-7712 Website: FPU.com/emailus |
| Florida Power and Light (FPL) Monday – Friday 7:30 a.m. to 4:30 p.m. Phone: 1-866-263-9185 Website: FPL.com/rates | TECO Peoples Gas Monday – Friday 7:30 a.m. to 6:00 p.m. Phone: (407) 435-4662/1-877-832-6747 Website: Peoplesgas.com/contact |

Additional Resources

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| <p>United States Department of Housing and Urban Development If you believe your rights may have been violated, HUD encourages you to submit a complaint. Because there are time limits on when a complaint can be filed with HUD after an alleged violation, you should submit a complaint as soon as possible. You can speak with an FHEO intake specialist by calling 800-669-9777 or 800-877-8339 (TTY). You can file a complaint with FHEO online by visiting: https://www.hud.gov/program_offices/fair_housing_equal_opp/onlinecomplaint</p> | <p>Florida Commission on Human Relations Phone: (850) 488-7082 Website: https://fchr.myflorida.com/fair-housing</p> |
| <p>Housing and Community Development Phone: (407) 836-5150 Email: housing@ocfl.net www.ocfl.net/NeighborsHousing/RentalAssistance</p> | <p>Community Action Energy and Water Assistance Phone: (407) 836-7429 www.ocfl.net/FamiliesHealthSocialSvcs/EnergyBillAssistance Employment Assistance Phone: (407) 836-9333</p> |
| <p>Heart of Florida United Way Phone: 211 Information hotline for emergency housing assistance; Veteran utility assistance; family support services; Referrals</p> | <p>Disability Information Phone: (407) 836-6568 Email: OfficeOnDisability@ocfl.net</p> |
| <p>Orange County Neighborhood Services Reporting Code Violations Phone: (407) 836-3111</p> | <p>Orange County Consumer Protection Phone: (407) 836-3111 Deceptive rental practices</p> |
| <p>Legal Aid/Orange County Bar Association Legal Assistance Phone: (407) 841-8310 info@legalaidocba.org</p> | <p>Community Legal Services Legal Help Phone: (800) 405-1417 https://www.clsmf.org/</p> |