



Lago Del Rey Condominium Association # 6, Inc.  
c/o Wilson Landscaping & Management Corp.  
1300 NW 17<sup>th</sup> Avenue  
Suite 270  
Delray Beach, FL 33445  
Office: (561)637-3402 FAX: (561)637-3407



**Intent to Sell or Re-Title Application**  
**(Resale Application)**

- 1) APPLICATION MUST BE SUBMITTED AT LEAST FIFTEEN (15) DAYS PRIOR TO CLOSING DATE.
- 2) TWO (2) COMPLETE, SEPARATE SETS OF EVERYTHING LISTED BELOW MUST BE SUBMITTED. (APPLICATION AND PURCHASE CONTRACT CONSTITUTES ONE SET.) **ONE SET OF THESE MUST BE THE ORIGINAL PAPERWORK.**
- 3) EACH PAGE MUST BE PROPERLY COMPLETED.
- 4) EACH APPLICATION MUST INCLUDE A READABLE, CURRENT PHOTO ID FOR **EACH** OWNER AND COMPLETE RESIDENT APPLICATION FOR ASSOCIATION. (SEE PAGES 4-12) OCCUPANCY PRIOR TO BOARD APPROVAL IS PROHIBITED.
- 5) THE APPLICATION FEE(S) IS REQUIRED FOR EACH ADULT(\$100 PER ADULT), MADE PAYABLE TO THE: LAGO DEL REY CONDOMINIUM ASSOCIATION # 6, INC.
- 6) \*\*\* THE BOARD OF DIRECTORS APPROVAL AND A PERSONAL INTERVIEW ARE REQUIRED FOR ALL APPLICANTS.

**ALL MATERIALS MUST BE PROPERLY COMPLETED AND SUBMITTED TOGETHER OR THE APPLICATION PACKET MAY NOT BE PROCESSED. OUR OFFICE WILL DO ITS BEST TO EXPEDITE ALL PAPERWORK IN A TIMELY FASHION. WE WOULD LIKE TO CONVEY TO YOU THAT MOST DELAYS ARE CAUSED BY INCOMPLETE PAPERWORK. PLEASE LOOK OVER THE INSTRUCTIONS CAREFULLY. PLEASE CALL OUR OFFICE (561) 637-3402 WITH ANY QUESTIONS BEFORE SENDING COMPLETED PACKETS TO OUR OFFICE.**



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### Purchaser(s) Agreement

**In making this application to purchase unit noted on Page 1 of this application, I/ we understand the acceptance of the application is conditioned on the approval of the Board of Directors.**

**The Applicant(s) agree as follows:**

- ✓ To abide by all the Rules and Regulations, By-Laws and any and all restrictions of the Association and any changes that may be imposed in future.
- ✓ The unit may not be occupied in owner's absence without the prior knowledge of the Board nor rented within the first 24 months of ownership..
- ✓ PURCHASER(S), acknowledge receipt of a copy of the Condominium Documents and understand that the unit may not be sold or leased within the first 24 months of date of sale. It is the buyer's responsibility to obtain Condominium Documents from current owner. Documents may be purchased from Wilson Management for \$100.00 if necessary.
- ✓ Have enclosed a check in the amount of \$100.00 for each non-related adult, payable to **Lago Del Rey Condominium Association # 6, Inc.** as provided for by Florida Statutes and by the Condominium Documents.
- ✓ Understand that if any check paid by the Owner(s), and/or Purchaser(s), is returned unpaid, any approval granted will be voided.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



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**VOTING CERTIFICATE**  
 (Designation of Voting Member)

We, the undersigned, being the owners of the property located at:

\_\_\_\_\_ (Association Name) \_\_\_\_\_ (Unit #)

Do hereby designate that \_\_\_\_\_  
 (Insert name of designated voter)  
 is entitled to cast one (1) vote at the membership meetings of Lago Del Rey Condominium Association # 6, Inc. This certificate may be terminated or suspended by written notice to the Board of Directors of the Association.

Date: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Please Print Name: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Please Print Name: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Please Print Name: \_\_\_\_\_

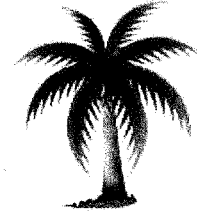
Applicant's Signature: \_\_\_\_\_

Please Print Name: \_\_\_\_\_

***Note: This voting certificate is for the purpose of establishing who is authorized to cast the vote for any property owned by more than one person or owned by a corporation. It is not needed if only one (1) person owns a property.***



<b>Lago Del Rey Building 6</b>
<b>Resident/Tenant Application</b>



\*\*\* AMOUNT OF \$100.00 "PAYABLE TO LAGO DEL REY #6" MUST ACCOMPANY THIS APPLICATION. Submit this application to the address below:

**LAGO DEL REY CONDOMINIUM ASSOCIATION # 6, INC.**  
C/O Wilson Landscaping & Management Corp  
1300 NW 17<sup>th</sup> Ave, Suite 270  
Delray Beach, FL 33445  
(561)637-3402 Office  
(561)637-3407 Fax

### APPLICATION

1. This application for occupancy must be completed in detail by the proposed buyer/tenant. If any question is not answered or left blank, this application may be returned, not processed, and not approved.
2. An "IN PERSON INTERVIEW" will be scheduled. Occupancy prior to Board approval is PROHIBITED.
3. Please attach a copy of the lease/sales contract to this application.
4. Further attach copies of Copy of Driver's License(s) or passport(s), social security cards, vehicle registrations and current insurance cards required for all occupants.
5. Copy of last two pay stubs and last W-2 Form.
6. No pet is allowed to reside in condo unless approved by Board. Pet (one dog or one cat) may be allowed by Board if pet will be under 25 lbs. at mature weight. A picture is required and Pet Application attached.
7. The RULES AND REGULATIONS OF THE DOCUMENTS OF LAGO DEL REY CONDOMINIUM #6 must be followed.
8. No commercial vehicles, trucks, boats, trailers, motor homes, campers, recreational vehicles, etc. are permitted to the park on the premises in tenant/resident capacity.
9. No unit may be rented or leased WITHIN 2 YEARS OF THE DATE OF PURCHASE NO EXCEPTIONS.

**IMPORTANT NOTE:** Complete all questions and fill in all blanks. If any question is not answered/left blank, or answered falsely, this application may be returned, not processed, and/or not approved. Missing information will cause delays.



Lago Del Rey #6  
Applicant

PLEASE USE BLACK INK  
\*\*\* THIS APPLICATION IS FOR A SINGLE PERSON OR A MARRIED COUPLE ONLY! \*\*\*  
A SEPARATE APPLICATION IS REQUIRED FOR EACH ADULT HOUSEMATE.



Lago Del Rey #6  
Applicant

### APPLICATION FOR OCCUPANCY

Association Name: \_\_\_\_\_

**NOTE: All information supplied is subject to verification. All telephone numbers must be able to be reached between 9-5 P.M. Date:** \_\_\_\_\_

Purchase   Lease   Occupant   Apt#   Bldg#   Address applied for: \_\_\_\_\_

**Full Name** \_\_\_\_\_ **Date of Birth** \_\_\_\_\_ **Social Security #** \_\_\_\_\_

Single   Married   Separated   Divorced   How Long? \_\_\_\_\_   Other legal or maiden name \_\_\_\_\_

Have you ever been convicted of a crime? \_\_\_\_\_ Date (s) \_\_\_\_\_ County/State Convicted in \_\_\_\_\_

Charge(s) \_\_\_\_\_

**Spouse** \_\_\_\_\_ **Date of Birth** \_\_\_\_\_ **Social Security #** \_\_\_\_\_

Maiden Name \_\_\_\_\_ Have you ever been convicted of a crime? \_\_\_\_\_ Date (s) \_\_\_\_\_

County/State Convicted in \_\_\_\_\_ Charge (s) \_\_\_\_\_

No. of people who will occupy unit – Adults (over age 18) \_\_\_\_\_ Description of Pets \_\_\_\_\_

Names and ages of others who will occupy unit \_\_\_\_\_

Applicants Cell Number(s) \_\_\_\_\_ Applicants Email Address \_\_\_\_\_

In case of emergency notify \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

### **PART I – RESIDENCE HISTORY**

A. Present address \_\_\_\_\_ Phone \_\_\_\_\_  
(Include unit/apt number, city, state and zip code)

Apt. or Condo Name \_\_\_\_\_ Phone \_\_\_\_\_ Dates of Residency: From \_\_\_\_\_ to \_\_\_\_\_

Own Home   Parent/Family Member   Rented Home   Rented Apt   Other   Rent/Mtg Amount \_\_\_\_\_

Name of Landlord \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Mortgage Holder \_\_\_\_\_ Mortgage No. \_\_\_\_\_ Phone \_\_\_\_\_

B. Previous address \_\_\_\_\_  
(Include unit/apt number, city, state and zip code)

Apt. or Condo Name \_\_\_\_\_ Phone \_\_\_\_\_ Dates of Residency: From \_\_\_\_\_ to \_\_\_\_\_

Own Home   Parent/Family Member   Rented Home   Rented Apt   Other   Rent/Mtg Amount \_\_\_\_\_

Name of Landlord \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Mortgage Holder \_\_\_\_\_ Mortgage No. \_\_\_\_\_ Phone \_\_\_\_\_

C. Previous address \_\_\_\_\_  
(Include unit/apt number, city, state and zip code)

Apt. or Condo Name \_\_\_\_\_ Phone \_\_\_\_\_ Dates of Residency: From \_\_\_\_\_ to \_\_\_\_\_

Own Home   Parent/Family Member   Rented Home   Rented Apt   Other   Rent/Mtg Amount \_\_\_\_\_

Name of Landlord \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Mortgage Holder \_\_\_\_\_ Mortgage No. \_\_\_\_\_ Phone \_\_\_\_\_

**PART II – EMPLOYMENT REFERENCES**

\*Include a recent copy of an earnings statement to expedite processing\*

A. Employed by \_\_\_\_\_ Phone \_\_\_\_\_  
Dates of Employment: From: \_\_\_\_\_ To: \_\_\_\_\_ Position \_\_\_\_\_ Fax \_\_\_\_\_  
Monthly Gross Income \_\_\_\_\_ Address \_\_\_\_\_

B. Spouse Employed by \_\_\_\_\_ Phone \_\_\_\_\_  
Dates of Employment: From: \_\_\_\_\_ To: \_\_\_\_\_ Position \_\_\_\_\_ Fax \_\_\_\_\_  
Monthly Gross Income \_\_\_\_\_ Address \_\_\_\_\_

**PART III – BANK REFERENCES**

\*Include a recent copy of a bank statement to expedite processing\*

A. Bank Name \_\_\_\_\_ Checking Acct. # \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ Fax \_\_\_\_\_

B. Bank Name \_\_\_\_\_ Savings Acct. # \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ Fax \_\_\_\_\_

**PART IV – CHARACTER REFERENCES (No Family Members)**

\*Please notify Character References that we will be contacting them to obtain a reference\*

1. Name \_\_\_\_\_ Home Phone \_\_\_\_\_  
Address \_\_\_\_\_ Business Phone \_\_\_\_\_  
Email Address \_\_\_\_\_ Cellular Phone \_\_\_\_\_

2. Name \_\_\_\_\_ Home Phone \_\_\_\_\_  
Address \_\_\_\_\_ Business Phone \_\_\_\_\_  
Email Address \_\_\_\_\_ Cellular Phone \_\_\_\_\_

3. Name \_\_\_\_\_ Home Phone \_\_\_\_\_  
Address \_\_\_\_\_ Business Phone \_\_\_\_\_  
Email Address \_\_\_\_\_ Cellular Phone \_\_\_\_\_

4. Name \_\_\_\_\_ Home Phone \_\_\_\_\_  
Address \_\_\_\_\_ Business Phone \_\_\_\_\_  
Email Address \_\_\_\_\_ Cellular Phone \_\_\_\_\_

Driver's License Number (Primary Applicant) \_\_\_\_\_ State Issued \_\_\_\_\_

Driver's License Number (Secondary Applicant) \_\_\_\_\_ State Issued \_\_\_\_\_

Make \_\_\_\_\_ Type \_\_\_\_\_ Year \_\_\_\_\_ License Plate No. \_\_\_\_\_

Make \_\_\_\_\_ Type \_\_\_\_\_ Year \_\_\_\_\_ License Plate No. \_\_\_\_\_

If this application is not legible or is not completely and accurately filled out, Associated Credit (and the Association) will not be liable or responsible for any inaccurate information in the investigation and related report (to the Association) caused by such omissions or illegibility.

By signing the applicant recognizes that the Association and Associated Credit will investigate the information supplied by the applicant, and a full disclosure of pertinent facts will be made to the Association. The investigation may be made of the applicant's character, general reputation, personal characteristics, credit standing, police arrest record and mode of living as applicable. This form is for the exclusive use of Associated Credit Reporting, Inc.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_ Spouse's Signature \_\_\_\_\_ Date \_\_\_\_\_

8795 West McNab Road, First Floor, Tamarac, Florida 33321  
[www.associatedcreditreporting.com](http://www.associatedcreditreporting.com)



Lago Del Rey # 6  
Applicant

## \*\*\*AUTHORIZATION FORM\*\*\*

I/We hereby authorize **Associated Credit Reporting, Inc.** to obtain data to verify any and all information they request with regards to my/our Application for Occupancy, specifically the verification of my bank account(s), credit history, residential history, criminal record history, employment verification and character references.

I/We hereby waive any privileges I/we may have with respect to the said information in reference to its release to the aforesaid party. Information obtained for this report is to be released to the authorized party designated on the Application for Occupancy, for their exclusive use only. PLEASE INCLUDE COPY OF DRIVER'S LICENSE TO CONFIRM IDENTITY. If you do not have a driver's license, please include a copy of your Passport or current government issued identification card.

I/We acknowledge our rights as stated in the Fair Credit Report Act that I/we are entitled to a copy of the report upon proper written request and can dispute any inaccurate information for re-verification. I/We understand that Associated Credit Reporting, Inc. is not directly involved in the approval or denial of any applicant. The information received by Associated Credit Reporting, Inc. shall be held in strict confidence, protected as governed under the Fair Credit Reporting Act, and will never be released to any third party other than the designated recipient. I/We further understand that this is a non-refundable process.

By signing below, I/We further state the Application for Occupancy and Authorization Form were signed by me/us and was not originated with fraudulent intent by me/us or any other person and that the signature(s) below are my/our own proper legal signature. I/We certify (or declare) under penalty of perjury that I/We agree to the foregoing and; that all answers and information contained on the Application for Occupancy are true and correct and will hold Associated Credit Reporting, Inc. harmless from the result of the investigation.

---

(Applicant's Signature)

---

(Spouse's Signature)

---

(Applicant's Name Printed)

---

(Spouse's Name Printed)

---

(Date Signed)

---

(Date Signed)

# Resident Data Form

Lago Del Rey - Building # 6

lagodelrey6@gmail.com



Date: \_\_\_\_\_

Unit Address: \_\_\_\_\_

Unit #: \_\_\_\_\_

**Unit Owners:**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phones: Cell \_\_\_\_\_ Home: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Unit Occupants:**

Number to Reside in Unit: \_\_\_\_\_

**Name - Home Phone # - Work Phone # - Cell Phone # - Email Address**

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Relationship of Occupants to Owner: \_\_\_\_\_

(If lessee, please attach a copy of the lease.)

**EMERGENCY CONTACT:**

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ State: \_\_\_\_\_

Ph: (Cell) \_\_\_\_\_ (Home) \_\_\_\_\_ (Work) \_\_\_\_\_



**AUTO REGISTRATION & VEHICLE PERMITS:**

Lago Del Rey - Building # 6

lagodelrey6@gmail.com



**\*\*\*PLEASE NOTE: FAILURE TO FOLLOW THE FOLLOWING REGULATIONS  
SUBJECTS THE VEHICLE TO POSSIBLE TOWING – AT THE OWNER’S EXPENSE!**

**Parking Permit Program:**

Resident/Owners are allowed a maximum of 2 permanent Resident Parking Stickers, and 2 Guest Passes.

- 1.) The **Resident Permit** is to be affixed to the rear lower section of back window, or left side of back bumper. You must include copies of vehicle (s) registration and current insurance card (s).
- 2.) The **Guest Pass** is to be draped over the rear view mirror no later than 11:00 PM nightly. The Guest Pass has a 2 week usage period. *Note:* This 2 week usage period is either consecutive days or two 2 weeks non-consecutive days. There is a \$25 replacement charge

**Please list licensed vehicles below:**

VEHICLE # 1: \_\_\_\_\_ OWNER’S NAME: \_\_\_\_\_

MAKE: \_\_\_\_\_ BODY TYPE: \_\_\_\_\_ COLOR: \_\_\_\_\_

YEAR: \_\_\_\_\_ STATE OF REGISTRATION \_\_\_\_\_ LICENSE PLATE # \_\_\_\_\_

VEHICLE # 2: \_\_\_\_\_ OWNER’S NAME: \_\_\_\_\_

MAKE: \_\_\_\_\_ BODY TYPE: \_\_\_\_\_ COLOR: \_\_\_\_\_

YEAR: \_\_\_\_\_ STATE OF REGISTRATION \_\_\_\_\_ LICENSE PLATE # \_\_\_\_\_

Owner/Tenant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

---

**To be filled in by the Board of Directors:**

Parking Space Assigned #: \_\_\_\_\_ Parking Permit #(s): \_\_\_\_\_

Storage Unit #: \_\_\_\_\_



Effective September 1, 2012 Lago Del Rey

**Laundry Room Usage Contract**

Due to the misuse of our laundry room facilities, it has become necessary to secure the laundry rooms for use only by **“maintenance paying owners and tenants”**. Thus, we have installed combination locks on each door.

\*\*\* Each unit owner/resident must sign this contract to receive a “combination number” quarterly - if following criteria has been met:

- 1.) Maintenance fees have been paid timely, and
- 2.) There has been no incident of misuse by the resident during the previous quarter, or year.

By virtue of signing this agreement each user agrees as follows:

- 1.) Keep laundry room door(s) closed during and after usage so no unauthorized person may enter the room.
- 2.) Help keep the laundry rooms in pristine condition. Clean up after usage – including emptying the lint trays for the next user. Do not use dye in the washing machines or any other agent that will deface either the washer or dryer.
- 3.) \*\*\* **NEVER SHARE YOUR COMBINATION WITH ANYONE.** Each unit owner/resident must obtain their combination number from a Board Member. A signed agreement must be on file with the Board in order to receive a combination number.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ Condo Unit # \_\_\_\_\_

Email address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

**LAGO DEL REY – BUILDING # 6**  
**c/o Wilson Landscaping & Management Corp.**  
**1300 NW 17th Ave, Suite 270**  
**Delray Beach, FL 33445**  
**(561) 637-3402 Office**  
**(561) 637-3407 FAX**



**PET APPLICATION FORM**

**\*\*\*YOUR PET MUST HAVE BOARD APPROVAL PRIOR TO RESIDENCY IN YOUR UNIT.**

DATE: \_\_\_\_\_

YOUR NAME: \_\_\_\_\_

UNIT NUMBER: \_\_\_\_\_

**ATTACH PET  
PICTURE HERE**

Check one:

I am the Unit OWNER \_\_\_ or I am a TENANT \_\_\_

ADD/REMOVE THE FOLLOWING FROM FILE: ADD \_\_\_ or REMOVE \_\_\_

**PET INFORMATION:**

(Note: **Only one pet** i.e., dog or cat, is allowed per unit. The full grown weight of the pet is not to exceed 25 pounds.)

- A. Name pet answers to: \_\_\_\_\_
- B. Pet is a: dog \_\_\_ cat \_\_\_ Other: \_\_\_\_\_
- C. Breed: \_\_\_\_\_
- D. Color(s) and distinctive markings: \_\_\_\_\_
- E. Current weight: \_\_\_\_\_ Full grown expected weight: \_\_\_\_\_
- F. Additional information to identify pet: \_\_\_\_\_
- G. Rabies tag/license number (if applicable): \_\_\_\_\_

**VETERNARIAN INFORMATION:**

Veterinarian Name: \_\_\_\_\_

Veterinarian Address: \_\_\_\_\_

Veterinarian Phone: \_\_\_\_\_

**INDEMNIFICATION:**

By virtue of keeping my pet within the Condominium I agree to indemnify and hold the Association, each member, the Board of Directors and the Manager free and harmless from any loss, claim or liability of any kind or character whatever arising by reason of my keeping the above pet within the Condominium Property.

I certify that I have reviewed and agree to the rules and regulations concerning pets.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

NOTE: If this application is submitted by a lessee, the Co-Owner or Owner's Agent must sign this form below.

\_\_\_\_\_  
Owner's or Agent's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Owner's or Agent's Signature

\_\_\_\_\_  
Date

**LAGO DEL REY – BUILDING # 6  
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**-- END OF APPLICATION --  
Return Pages 1--12**

July 25, 2012

Lago Del Rey Building # 6

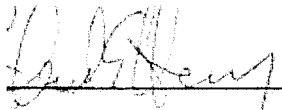
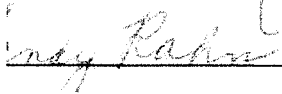
Re: Declaration of Condominium, Section XIII, Use and Occupancy

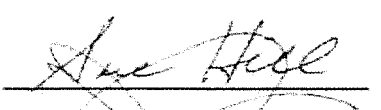

The By-Law currently states no animals (dogs or cats) are allowed to reside in an individual's unit without approval from the Association Board. The following rule of agreement shall serve as a guide for the Board when reviewing Dog/Cat applications.

I, hereby agree, as a current Board Member of Building # 6 to place the following stipulations for approval for a Dog or Cat application as follows:

1. Allow One Dog or Cat per unit
2. Weight — not to exceed 25 pounds
3. Name, address, and phone number of veterinarian of pet to be provided

Board Members Signature(s):

  
\_\_\_\_\_  
  
\_\_\_\_\_

  
\_\_\_\_\_  
  
\_\_\_\_\_

Building # 6 Property Management Company  
**Wilson Landscape & Management Corp.**  
1300 NW 17<sup>th</sup> Ave., Suite 270  
Delray Beach, Florida 33445  
Ph: 561 637-3402

Lago Del Rey, Building # 6  
2700 Fiore Way  
Delray Beach, Florida 33445

**RESIDENT/OWNER INFORMATION**

Central Management Committee (CMC), **Live Florida Property, Management** for Recreation Facilities, i.e. Pool, Tennis Courts, Workout Room, Roads and Lakes:  
Denise Cocuzzo  
Ph: 561 662-0694  
Email: Denise@liveflorida.com

**Greetings:**

Lago Del Rey, Building # 6, is one of 10 buildings in our large Lago Del Rey Complex. Each building has a Board of Directors, its own budget, maintenance fees (HOA) set by the Board of Directors based upon size of unit to pay bills, and Documents and By-Laws that govern meetings, parking rules, parking lot usage, residency requirements (24 months – no rental), quiet hours and other items which address usage of common areas, such as garbage disposal, required re-cycling, bulk pick-up instructions, etc.

Each Complex in Lago Del Rey is like a small City with their own rules of operation set by the building's Association By-laws. You may see differing rules of operation in other Buildings as you enter our large complex due to differing rules of operation and By-Laws.

Of note, there are two separate Management Companies for our Building one Management Company manages every day operations and the other Management Company manages the Recreation Facilities that serve all 10 buildings. We are very proud of our Building, in that, nearly all of our building is owner-occupied. Residents get along well with each other, respect rules of order and are considerate of each other. We pride ourselves on having well-lit walkways. We take security very seriously and each owner has purchased their own "double-bolted" front doors to add to the over-all feeling of security.

**Quiet Hours** Quiet hours are between 11:00PM – 8:00AM. We are a very quiet building at all hours, thus please be respectful of your neighbors. Unfortunately, sound sometimes carries upstairs, downstairs or right and left between units. Please keep that in mind.

**Parking, Parking Permit & Towing Program** Please park in your designed spot or in a guest spot at the west side of the building. If your parking spot immediately faces the building, do not back into your spot for anything longer than minutes to load or unload belongings. Rear end parking is only permitted in guest spots in west end of building. Furthermore, **DO NOT double park or park in the fire-lane on the east side end of the building.** Important: No Commercial vehicles are allowed to park long-term in our parking lot.

**Resident/Owner Parking spots** were initially assigned when the complex was built. We do not re-assign any spots unless there is a short-term medical reason. Furthermore, in regard to our parking lot in general, washing or waxing vehicles is not permitted. The Clubhouse parking lot is available for washing/waxing if you desire to do so in that area. Disabled cars cannot be stored on our lot nor can vehicles have mechanical work performed onsite. Also, make certain you address oil leaks immediately so the blacktop is not permanently scarred or damaged

Our parking program was set up to protect the residents of the building. Each individual living in our building full time must have a "resident parking sticker" attached to either the left rear window of his or her vehicle or left rear bumper. The resident parking sticker is available at no charge and obtained from Wilson Management. You will need to show your vehicle registration and insurance card when you pick up your resident parking sticker. If you change vehicles you must notify Wilson and obtain a new parking

permit immediately. For over night guests, there are yellow placards, guest pass cards” that are to be hung from the vehicle’s rear-view mirror between the hours of 11:00PM to 8:00AM. “Guest Passes” are good for 2-week non-consecutive period of time. Should your guest pass or passes be mis-placed, there is a \$25.00 charge for replacement from Wilson Management.

We have a special contract with a towing company. At night the tow company makes periodic trips through our lot making a determination whether all vehicles in the lot are legal and authorized. We are unaware of the time, date or frequency of the towing monitoring trips. Thus, if a vehicle is not properly identified as belonging in our lot – the violator can expect to be stickered or towed for non-compliance.

**Laundry Rooms** We have 2 laundry rooms, upstairs and downstairs. Both have combination locks for security purposes. Presently, there is a \$1.00 charge to wash and \$1.00 to dry clothes. The machines use quarters. Should you have a malfunctioning machine, please call the phone number shown on the front of the machine to report the issue. Also, out of courtesy for other users, please keep track of your wash and dry times so that you remove your clothing upon completion. Also, please remember to clean the lint vent each time after use. The table in the room may be use for clothes in a machine that have been left for an inordinate amount of time.

**Important:** The Board of Directors must approve “*in advance*” the installation of washers and dryers in individual units. If approval granted for installation, work must be performed by a licensed Plumber. **Absolutely, no venting or holes in walls for dryer** as this becomes a fire hazard. For dryers, a water box system must be used or a self-contained non- venting dryer installed.

**Cooking grills** Grills must be used at least 15 feet from the building. Cooking is not permitted on porches, patios or balconies. The grill must be returned immediately to a proper storage location after cool- down usage. Do not leave grills sitting out in the open grassy area when not in use.

**Cameras** Cameras are located outside and around the mail box area, laundry rooms, garbage rooms and the electric room. Do not use the electric room for permanent storage. The cameras have been installed to monitor illegal usage in any of these areas.

**Garbage Pick** for the large dumpster pick-up occurs on **Tuesday** and **Friday** of each week. Recycling occurs on Friday, yellow bins are for plastics, and blue bins are for paper and cardboard. In regard to cardboard, please flatten your boxes before placing in the bin. This is necessary so there is sufficient room for everyone to use these the bin. Also, **do not place anything on the floor of the garbage room** as the garbage collectors will not pick-up items left on the floor.

Also, please help keep **all garbage doors closed**. Use the single entry door to the garbage room for disposal of your everyday garbage. The double doors are used for the garbage men to get to the large dumpster at collection time. Upstairs residents can use the garbage shoot.

**Bulk pick-up** occurs very early on Thursday mornings. This free service is designated for large furniture items that you wish to dispose of and are not appropriate for the dumpster. Place these large items at the “**end of the garbage room drive way**” **after dark on Wednesday night** for the early Thursday morning pick-up. **DO NOT PLACE ANY ITEMS IN THE GRASSY AREA NEXT TO THE DOUBLE GARBAGE ROOM DOOR before Wednesday.** Keep those items you wish to dispose in your unit until after dark, and place at the end of the drive Wednesday night. Call Waste Management by 5:00PM Wednesday afternoon @ 866 455-5361 to arrange this bulk pick on Thursday morning.

If you wish to take things to the dump yourself, there is a free dump near the complex; it is located at SWS South County Transfers, 1901 SW 4<sup>th</sup>, Delray Beach.

**Cleaning Staff** The cleaning staff are onsite usually on Monday's to clean walkways, the garbage and storage rooms, change light bulbs and make certain scuppers are clean on our roof. Please make it a point to pick up any discarded garbage you see on our premises at any time. Do not wait for the cleaning staff or think someone else will do so. We all own this building. It is our investment. Everyone should do their part to help maintain our building neatly and orderly both inside and outside our individual units and the complex in general.

**Air conditioner units**. Remind your service personnel to make certain the **hatch is closed** leading to the roof after service. Do not leave debris on the roof. **Air Conditioner units should be serviced at a minimum of once a year**. The **master drain must be cleaned** to prevent clogging and also the **freon pipe on roof unit should have good insulation** to prevent condensation from dripping into lower units.

**Television or Internet Service** Our Association does not provide cable service. Residents must secure service that does **not place** any type of antennae that will be affixed to the building or roof. Of note: If anything, whatsoever is attached to the roof, our entire roof warranty is voided.

**Storage rooms** The area where your individual storage cages are located should never have any item stored on the floor outside your storage cage. Doing so violates Palm Beach County Health Department Regulations.

**Special Instructions for Second Floor Units**

Living on the second floor presents special challenges. Please be careful moving furniture up and down stairs so you don't remove paint from the walkway or hit overhead lights. Also, please remember luggage rollers, or long boards remove paint from walkways as well – up and downstairs. Those residents that install new flooring must make certain heavy padding is used to insulate sound for your neighbors below.

***Respectfully By The Board of Directors***





Community Improvement  
100 NW 1<sup>st</sup> Avenue  
Delray Beach, FL 33444

## INSTRUCTIONS FOR APPLICATION AND AFFIDAVIT FOR LANDLORD PERMIT RESIDENTIAL PROPERTY

(561) 243-7243

1. Applicants are hereby advised that any leases, subleases, and/or agreements to occupy the building for which a permit is sought should provide that such agreement does not become effective until receipt of the approval by the City's Director of Community Improvement or his/her designee of this application.
2. Please complete all applicable information on the Application for Landlord Permit and the Landlord Permit Affidavit.  
  
**Note:** Please complete the Permit Application for each rental unit. Attach additional sheets as necessary. A Landlord Permit is **NOT** required for a hotel, for any unit enrolled in a federal housing program, or under Housing and Urban Development general supervision.
3. **A Landlord Permit Affidavit must be notarized and submitted with each application.** A permit cannot be issued without the affidavit. Be sure to read the information on the reverse side of the affidavit. (A Notary Public is available in the Code Enforcement Division.)
4. Landlord Permits are issued for the 12-month period of **November 1, through October 31**, at a fee of **\$60.00 per rental unit**. Each separate lease, sublease, and/or agreement constitutes a rental unit. Please do not send cash. Checks must be made payable to the City of Delray Beach. The fee will not be prorated. **Landlord Permits not renewed within 60 days of the annual renewal date will be subject to triple permit fees.**
5. Please return your completed application, notarized affidavit, copies of your lease(s), supplemental sheets (if any), and payment to Landlord Permit Section, Code Enforcement Division, City of Delray Beach, 100 NW 1st Avenue, Delray Beach, Florida 33444.
6. Applicants shall be required to provide a copy of the lease, sublease and/or agreement for each rental dwelling unit at the time of the application and/or renewal. In the event of an oral agreement between the parties instead of a written lease, the terms of these agreements shall be reduced to writing specifically including, but not limited to, duration of the lease term, rental payment, and number of tenants, such information to be provided to the City at the time of application and within thirty (30) days of any modification thereof.

If you have any questions or need further information, please call the Code Enforcement Division at (561) 243-7243, 8:00 AM to 5:00 PM, Monday through Friday.



Landlord Permit # \_\_\_\_\_

# CITY OF DELRAY BEACH APPLICATION FOR LANDLORD PERMIT

IF YOU HAVE MORE THAN ONE RENTAL UNIT AND IF YOU RECEIVE A SEPARATE PROPERTY TAX BILL FOR EACH UNIT, YOU **MUST** COMPLETE A SEPARATE APPLICATION FOR EACH UNIT.

PLEASE PRINT

Property Control No. \_\_\_\_\_

Rental Address \_\_\_\_\_

Property Owner \_\_\_\_\_ Phone \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Type of Building \_\_\_\_\_ Single Family      Are you under the HUD Program?

\_\_\_\_\_ Duplex      Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_ Multi Family

TOTAL NUMBER OF UNITS OR SEPARATE LEASES IN BUILDING \_\_\_\_\_

NUMBER OF RENTAL UNITS FOR THIS PERMIT \_\_\_\_\_

**PLEASE COMPLETE THIS RENTAL INFORMATION:**

Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____

A notarized Landlord Permit Affidavit (attached) **MUST** accompany this application before a permit will be issued.

Signature of Owner or Authorized Agent \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

DATE: \_\_\_\_\_

AMOUNT PAID: \_\_\_\_\_

# SUPPLEMENTAL SHEET FOR APPLICATION FOR LANDLORD PERMIT

## DESIGNATE UNIT NUMBERS BELOW:

Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
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Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____
Unit No. _____	No. of Bedrooms _____	No. of Bathrooms _____	Total No. of Occupants _____



**LANDLORD PERMIT AFFIDAVIT  
RESIDENTIAL PROPERTY**

I, \_\_\_\_\_, being duly sworn affirm that I am authorized to apply for a landlord permit for the following residential unit(s) located at \_\_\_\_\_ because:

- I am the actual owner of the unit(s) OR
- I have the legal authority to represent the actual owner of the unit(s). [Submit a copy of your authorization from the property owner.]

I have read and understand the requirements of the Delray Beach Code of Ordinances and Land Development Regulations and affirm that the above described residential unit(s) complies with those requirements. I further affirm that the above residential unit(s) is in sound structural condition, has electrical service and that all electrical and plumbing devices are properly installed and in good working order. I also affirm that every habitable room has at least one window or skylight facing directly to the outdoors and that all windows are capable of being easily opened and secured in position by existing window hardware and have screens (if there is no central a/c) and unbroken glazing.

**New or Renewing Landlord Permit Application**

- I am applying for a Landlord Permit for the above described residential unit(s) for the first time. I am enclosing a copy of the current lease for each of the above described residential unit(s) with this Affidavit.
- I am applying to renew an existing Landlord Permit for the above described residential unit(s). I am enclosing a copy of the current lease for each above described residential unit(s) with this Affidavit.

**Description of Vehicles for Parking Stickers:**

**Vehicle 1:** Make \_\_\_\_\_ Model \_\_\_\_\_ Color: \_\_\_\_\_ License Plate Number: \_\_\_\_\_

**Vehicle 2:** Make \_\_\_\_\_ Model \_\_\_\_\_ Color: \_\_\_\_\_ License Plate Number: \_\_\_\_\_

**Vehicle 3:** Make \_\_\_\_\_ Model \_\_\_\_\_ Color: \_\_\_\_\_ License Plate Number: \_\_\_\_\_

**Vehicle 4:** Make \_\_\_\_\_ Model \_\_\_\_\_ Color: \_\_\_\_\_ License Plate Number: \_\_\_\_\_

**Compliance with Chapter 117, "Landlord Permits"**

I certify that I am in compliance with all applicable requirements of Chapter 117, Landlord Permits, including specifically the following:

1. I will provide each tenant with a copy of:
  - a. Chapter 83, *Florida Statutes*, Part II, entitled "Residential Tenancies";
  - b. Chapter 117 of the Code of Ordinances, entitled "Landlord Permits"; and
  - c. A pamphlet provided by the City containing guidelines for rentals.
  
2. I  am  am not [you must check one of the boxes] otherwise required to follow Chapter 83, *Florida Statutes*, regarding evictions.

For those applicants that are not otherwise required to follow Chapter 83, *Florida Statutes*—I am providing with my Landlord Permit Affidavit the following proof of availability of an alternative temporary dwelling unit in the event of an eviction, in compliance with Section 117.06 of the Code of Ordinances of the City of Delray Beach:\_\_\_\_\_

\_\_\_\_\_  
[describe type of proof and attach proof to Affidavit].

3. All of my tenants shall be in compliance with Chapter 136 of the Code of Ordinances of the City of Delray Beach regarding Sexual Offenders and Sexual Predators.

I will inform the City of Delray Beach Code Enforcement Division of any changes from the original Application for Landlord Permit and supplemental sheets (if utilized) concerning ownership, owner's mailing address for permits and renewals, number of unit(s), number of units under Federal programs or HUD supervision, number of bedrooms or change of occupants in each unit within thirty (30) days of each such change. I affirm that the individual unit(s) described above will only be rented to occupants whose relationship does not violate the City's definition of family, which I acknowledge as reading and understanding.

Owner or Authorized Agent: \_\_\_\_\_  
(Signature)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_ who is personally known to me or who has produced  
(NAME)

\_\_\_\_\_ as identification and who did take an oath.  
(TYPE OF ID)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Type, Print, or Stamp Name

\_\_\_\_\_  
Serial Number

## FAMILY DEFINITION:

“Family” shall mean two (2) or more persons living together and interrelated by bonds of consanguinity, marriage or legal adoption, and/or a group of persons not more than three (3) in number who are not so interrelated, occupying the whole or part of a dwelling as a separate housekeeping unit with a single set of culinary facilities. Any person under the age of 18 years whose legal custody has been awarded to the State Department of Health and Rehabilitative Services or to a child-placing agency licensed by the Department, or who is otherwise considered to be a foster child under the laws of the state, and who is placed in foster care with a family, shall be deemed to be related to and a member of the family for the purposes of this definition. Occupancies in excess of the number allowed herein shall have twelve (12) months from the date of the enactment of this definition or the termination of the current lease agreement to come into compliance, whichever occurs first.

**Sec. 117.03 APPROVAL OF APPLICATION**

- A. The Community Improvement Director or the assigned designee, shall grant a landlord permit for the lease, sublease, and/or agreement for each rental of units within the City for residential purposes upon the filing of an application on forms designated by the City and a determination:
- 1) That the applicant has an interest in the property or is the agent or acting under the permission of one with a sufficient interest in the property to obtain a landlord permit;
  - 2) That the units comply with the requirements of the Housing Code as set forth in Section 7.4.1 of the Land Development Regulations of the City of Delray Beach with regard to those facilities necessary to make the rental unit habitable specifically including, but not limited to, numbers of bedrooms and bathrooms required for the number of persons who will occupy the dwelling;
  - 3) That the rental of the units is in compliance with applicable zoning code regulations as enumerated in Chapter 4 of the Land Development Regulations as well as all other applicable regulations within the City's Code of Ordinances and Land Development Regulations;
  - 4) That no more than three unrelated persons shall reside in any unit as further defined in the definition of "family" as provided in Appendix "A" of the Land Development Regulations;
  - 5) That an annual permit fee in accordance with Section 117.02 is paid;
  - 6) That the applicant and applicant's property are not in violation of this article;
  - 7) That proof of payment of state sales tax is provided on an annual basis at renewal for all leases that are less than six (6) months in duration in accordance with Section 212.03, Fla. Stat.;
  - 8) That the applicant has certified that they will provide each tenant with a copy of:
    - a. Chapter 83, Florida Statutes, Part II, entitled "Residential Tenancies";
    - b. Chapter 117 of the Code of Ordinances, entitled "Landlord Permits"; and
    - c. A pamphlet provided by the City containing guidelines for rentals.
  - 9) That if the applicant is not otherwise required to follow Chapter 83 or other regulations and laws concerning eviction proceedings, the applicant provides proof of availability of an alternative temporary dwelling unit in the event of an eviction, in compliance with Section 117.06 of the Code of Ordinances of the City of Delray Beach; and
  - 10) All tenants will be in compliance with Chapter 136 of the Code of Ordinances of the City of Delray Beach regarding Sexual Offenders and Sexual Predators.
- B. Any permit shall be conditioned upon receipt of the documents required by Section 117.01(B).

**Sec. 117.04 DENIAL OR REVOCATION OF PERMIT APPLICATION: APPEALS**

A. A permit application may be denied for the following reasons:

- 1) The application for permit is not fully completed and executed, with the Landlord Permit Affidavit;
- 2) The applicant has not tendered the required application fee with the application;
- 3) The application for permit contains a material falsehood or misrepresentation;
- 4) The use is not allowed in the zoning district;
- 5) The applicant had their landlord permit revoked within the last twelve (12) months as set forth in Section 117.04(B) below.

B. Permits may be revoked for the following reasons:

- 1) Violations of the City's Ordinances or state laws where the violation takes place at a unit regulated by Chapter 117 of the Code of Ordinances of the City of Delray Beach shall be grounds for applicable fines and the commencement of permit revocation proceedings as follows:
  - a. For each civil citation for a violation of a City ordinance, one (1) point will be assessed on the landlord permit for that individual unit.
  - b. After two (2) points are assessed on a landlord permit for an individual unit the City Manager or his/her designee will send a written warning to the permittee or agent. The warning will specify which ordinance of ordinances have been violated and will state that further citations or violations could lead to a revocation of the permit.
  - c. Accumulation of three (3) or more points on a landlord permit for an individual unit during a 12-month period from the date of the first citation shall constitute a violation of Chapter 117 of the Code of Ordinances of the City of Delray Beach.
  - d.
- 2) The representations made in the application are no longer true and correct.
- 3) The lease, sublease and/or agreement and written statement regarding all lease arrangements to occupy the building or unit(s) therein is not updated within thirty (30) days of any changes.



ORDINANCE NO. 08-12

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 117, "LANDLORD PERMITS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, BY AMENDING SECTION 117.01, "PERMIT REQUIRED", TO CLARIFY WHEN A PERMIT IS REQUIRED; AMENDING SECTION 117.03, "APPROVAL OF APPLICATION", TO PROVIDE ADDITIONAL REQUIREMENTS; AMENDING SECTION 117.04, "DENIAL OR REVOCATION OF PERMIT APPLICATION; APPEALS", TO CLARIFY GROUNDS FOR REVOCATION; AND AMENDING SECTION 117.06, "TENANT/OCCUPANT EVICTION", TO ENSURE NOTICE AND DUE PROCESS RIGHTS ARE FOLLOWED OR ALTERNATE HOUSING IS PROVIDED; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Delray Beach, Florida, has determined that enforcement of various City ordinances can be improved by greater involvement by the owners of property; and

WHEREAS, the City Commission of the City of Delray Beach, Florida, desires to improve the quality of life for its residents; and

WHEREAS, the City Commission of the City of Delray Beach, Florida, has developed a point system whereby landlord permits may be revoked for repeated instances of warning, temporary compliance and repeated violation of nuisance ordinances in order to more effectively address violations that affect the rights of residents adjacent to residential rental property within the City of Delray Beach; and

WHEREAS, the City Commission of the City of Delray Beach, Florida, seeks to update and revise the permit process to reflect the ongoing development of public policy as it regards to interests of the residents of the City, including congestion to street parking, in residential neighborhoods, and other issues of public health and safety concern; and

WHEREAS, the City Commission of the City of Delray Beach, Florida, desires to ensure that proper eviction proceedings are followed by all landlords within the City of Delray Beach in accordance with Chapter 83, *Florida Statutes*, or other methods of due process afforded to reduce homelessness and crime in the City of Delray Beach; and

WHEREAS, the courts have stated that houses for recovering addicts are subject to Residential Landlord Tenant Act requirements pertaining to evictions. *See, Burke v. Oxford*

*House of Oregon Chapter V, 341 Or. 82, 137 P.3d 1278 (Or. 2006); and*

WHEREAS, hotels/motels are licensed by the Department of Business and Professional Regulation and are not regulated by landlord/tenant laws; and

WHEREAS, all residential tenancies that are located in residential zoning districts and are not classified as hotel/motel uses shall be regulated by this section regardless of the length of the lease or occupant contract unless such tenancies are licensed as Group Homes or Community Residential Homes per § 419.001, *Fla. Stat.*

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Chapter 117, "Landlord Permits", Section 117.01, "Permit Required", shall be amended to read as follows:

**Sec. 117.01. PERMIT REQUIRED.**

(A) No person, company or other entity may offer to or lease, sublease, rent, license, sublicense or have any other arrangement allowing occupancy of any residential units unless a landlord permit is obtained or in existence for the units. All oral rental arrangements shall be included within the scope of this Section, but the operation of a hotel shall not be included in this Section (any building which fits the definition of hotel but also fits the definition of another use which requires a landlord permit shall be interpreted to require a landlord permit), nor shall any facility licensed by the State as a Group Home or Community Residential Home or Assisted Living Facility. Whenever Chapter 117 refers to "lease(s)", "leased", "rent(s)", or "rented", it shall hereinafter include leases, subleases, rentals, licenses, sublicenses and all other arrangements for the occupancy of property.

(B) A separate permit shall be required for each leased unit. However, where a building contains a number of leased units under the same owner, or where a number of different owners in one building authorize the same person or company to act as their agent for the purposes of applying for a permit, a single permit may be obtained for all qualifying units within a single building which are under the same owner or agent, provided that the permit fee is paid for each individual unit. Any such permit issued by the City for residential unit(s) being leased for the first time shall be conditioned upon the applicant providing the City's Director of Community Improvement or his/her designee a current copy of all leases, subleases and/or agreements to occupy the building or unit(s) therein and providing updated copies of all leases, subleases and/or agreements to occupy the building or unit(s) therein within thirty (30) days of any changes. In the event of an oral agreement between the parties instead of a written lease, the terms of these agreements shall be reduced to writing, specifically including, but not limited to, duration of the lease

term, rental payment, and number of tenants, such information to be provided to the City at the time of application and within thirty (30) days of any modification thereof. Any such permit being renewed by the City shall be conditioned upon the applicant providing to the City's Director of Community Improvement or his/her designee all required information with the application. Nothing in this Section shall require a permit for any unit enrolled in Federal housing programs or under Federal [Department of] Housing and Urban Development general supervision.

(C) Leased residential dwelling units seeking such permits shall be limited to four (4) vehicles per dwelling unit, for which residential parking stickers may be obtained, provided that, upon good cause shown, specifically including availability of garage space, additional parking stickers may be issued by the Community Improvement Director, if the additional stickers will not affect the quality of the neighborhoods.

Section 2. That Chapter 117, "Landlord Permits", Section 117.03, "Approval of Application", shall be amended to read as follows:

**Sec. 117.03 APPROVAL OF APPLICATION.**

(A) The Community Improvement Director or his/her designee, shall grant approval for the lease of units within the City for residential purposes upon the filing of an application on forms designated by the City and a determination:

- (1) That the applicant has an interest in the property or is the agent or acting under the permission of one with a sufficient interest in the property to obtain a landlord permit;
- (2) That the units comply with the requirements of the Housing Code as set forth in Section 7.4.1 of the Land Development Regulations of the City of Delray Beach with regard to those facilities necessary to make the rental unit habitable specifically including, but not limited to, numbers of bedrooms and bathrooms required for the number of persons who will occupy the dwelling;
- (3) That the rental of the units is in compliance with applicable zoning code regulations as enumerated in Chapter 4 of the Land Development Regulations as well as all other applicable regulations within the City's Code of Ordinances and Land Development Regulations;

- (4) That no more than three (3) unrelated persons shall reside in any unit as further defined in the definition of "family" as provided in Appendix "A" of the Land Development Regulations;
- (5) That an annual permit fee in accordance with Section 117.02 is paid;
- (6) That the applicant and applicant's property are not in violation of this article;
- (7) That proof of payment of state sales tax is provided on an annual basis at renewal for all leases that are less than six (6) months in duration in accordance with Section 212.03, *Fla. Stat.*;
- ~~(8) That a local business tax receipt has been obtained for all leases that are rented more often than six (6) times in any one (1) year; and~~
- ~~(9)~~ (8) That the applicant has certified that they will provide each tenant with a copy of:
  - a. Chapter 83, *Florida Statutes*, Part II, entitled "Residential Tenancies";
  - b. Chapter 117 of the Code of Ordinances, entitled "Landlord Permits"; and
  - c. A pamphlet provided by the City containing guidelines for rentals.
- (9) If the applicant is not otherwise required to follow Chapter 83, *Florida Statutes*, then the applicant shall provide proof of availability of an alternative temporary dwelling unit in the event of an eviction, in compliance with Section 117.06 of the Code of Ordinances of the City of Delray Beach; and
- (10) All tenants shall be in compliance with Chapter 136 of the Code of Ordinances of the City of Delray Beach regarding Sexual Offenders and Sexual Predators.

(B) Any permit shall be conditioned upon receipt of the documents required by Section 117.01(B).

Section 3. That Chapter 117, "Landlord Permits", Section 117.04, "Appeals", shall be amended to read as follows:

**Sec. 117.04 DENIAL OR REVOCATION OF PERMIT APPLICATION; APPEALS.**

(A) ~~A~~ Permit application may be denied for the following reasons:

- (1) The application for permit is not fully completed and executed, with the Landlord Permit Affidavit;
- (2) The applicant has not tendered the required application fee with the application;
- (3) The application for permit contains a material falsehood or misrepresentation;
- (4) The use is not allowed in the zoning district;
- (5) The applicant had their landlord permit revoked within the last twelve (12) months as set forth in Section 117.04(B) below.

(B) Permits may be revoked for the following reasons:

- (1) Violations of the City's Ordinances or state laws where the violation takes place at a unit regulated by ~~this Section~~ Chapter 117 of the Code of Ordinances of the City of Delray Beach shall be grounds for applicable fines and the commencement of permit revocation proceedings as follows:
  - (a) For each civil citation for a violation of a City ordinance, one (1) point will be assessed on the landlord permit for that individual unit.
  - (b) After two (2) points are assessed on a landlord permit for an individual unit, the City Manager or his/her designee will send a written warning to the permittee or agent. The warning will specify which ordinance or ordinances have been violated and will state that further citations or violations could lead to a revocation of the permit.
  - (c) Accumulation of three (3) or more points on a landlord permit for an individual unit during a 12-month period from the date of

the first citation shall constitute a violation of Chapter 117 of the Code of Ordinances of the City of Delray Beach. ~~this section and the certifications of the applicant described above, subjecting the permittee to revocation of the permit for the individual unit.~~

(2) The representations made in the permit application are no longer true and correct.

(3) The lease, sublease and/or agreement and a written statement regarding all lease arrangements to occupy the dwelling or unit(s) therein is not updated within thirty (30) days of any changes.

(C) Appeals of a denial or revocation of a landlord permit shall be made to the Permit Review Committee which shall consist of the City Manager, the Community Improvement Director and the Planning and Zoning Director or their respective designees. The City Attorney's Office shall act as counsel to the Permit Review Committee. Requests for appeal must be made in writing and received by the Community Improvement Director within thirty (30) days of formal notice of denial or revocation with the date of the notice of denial being the first day. Decisions of the Permit Review Committee may be appealed to the City Commission, whose decision shall be final subject to any appeal of such decision to the Circuit Court of Palm Beach County.

Section 4. That Chapter 117, "Landlord Permits", Section 117.06, "Tenant Eviction", of the Code of Ordinances of the City of Delray Beach, Florida, shall be enacted to read as follows:

**Sec. 117.06. TENANT/OCCUPANT EVICTION.**

(A) All applicants granted a landlord permit to lease residential units within the City's Residential Zoning Districts must provide notice prior to evicting a tenant or occupant in accordance with Chapter 83 of the *Florida Statutes*.

(B) All residential uses requiring a landlord permit that are not otherwise required to follow Chapter 83, Florida Statutes, shall provide either forty-eight (48) hours notice of eviction in writing to the tenant/occupant or provide an alternative temporary dwelling unit for the tenant/occupant for at least forty-eight (48) hours to avoid increased homelessness and crime and to ensure that tenant/occupant's due process rights are not violated.

(C) All applicants granted a landlord permit to lease residential units within the City's Residential Zoning Districts that are otherwise not required to follow Chapter 83, Florida Statutes, must provide proof of available alternative temporary dwelling unit(s) to the Community Improvement Director when submitting an application for landlord permit under Section 117.03 of the Code of Ordinances of the City of Delray Beach.


Section 5. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 6. That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 7. That this ordinance shall become effective immediately upon its passage on second and final reading.

21<sup>st</sup> PASSED AND ADOPTED in regular session on second and final reading on this the day of February, 2012.

  
MAYOR

ATTEST  
  
City Clerk

First Reading 2/7/2012

Second Reading 2/21/2012