

**THE FLORIDA BAR
REAL PROPERTY, PROBATE AND TRUST LAW SECTION
LANDLORD TENANT COMMITTEE MEETING**

MINUTES OF THE MEETING

**Thursday, November 21, 2013
Ritz Carlton, Sarasota, Florida**

CALL TO ORDER

The Chair, Lloyd Granet, convened the meeting at 3:30 p.m.

MEETING AGENDA:

1. WELCOME AND INTRODUCTIONS: Committee Chair, Lloyd Granet introduced the committee officers, Lloyd Granet, Chair, Rick Eckhard, Vice Chair, Arlene Udick, Secretary, and Lanie Simon, Residential/Litigation subcommittee chair. He also introduced three new committee members: Daniel Causey and Conrad Khan, who were present via teleconference, and Katie Lupo, who was present at the meeting. Each gave a brief description of his or her practice. Committee Secretary, Arlene Udick, was not present at the meeting and Brenda Ezell agreed to take minutes.

2. APPROVAL OF PRIOR MINUTES: The minutes for the committee meeting of July 22, 2013 were presented for approval and were approved without objection

3. CHAIR'S REPORT: Mr. Granet opened the discussion about upcoming CLE programs. Rick Eckhart reported that he and partner Rod Anderson will put on a CLE regarding bankruptcy and will produce an outline and send it to the committee ahead of time. Mr. Granet discussed an issue he encountered in Palm Beach County regarding an estoppel letter from the county which turned out to be invalid three months later. He stated that estoppel letters would be a good topic that could be discussed from the landlord tenant perspective as well as the community association perspective and indicated he will coordinate this during the spring of 2014. Mr. Shoter circulated the Development and Green Building Committee CLE on ground leasing and due diligence.

4. CURRENT BUSINESS/LEGISLATIVE ACTION SUBCOMMITTEE: Vice Chair Rick Eckhart requested volunteers to work on this subcommittee. He described the process for the committee's comments on proposed legislation and how the comments are assembled and proceeds through the leadership.

5. CLE PRESENTATION;

Anthony Horkey presented a one hour CLE on Unlawful Detainer/Ejectment.

6. CASE DISCUSSION/OPEN FORUM;

Lanie Simon discussed some interesting cases from Florida Law Weekly. One case involved a landlord's challenge to a statute regarding residential rents in Orange County. Another case awarded a multiplier in a landlord tenant case where the tenant's lawyer was awarded 2 times the legal fees. Finally he discussed a case in Palm Beach County where a case was dismissed because a process server failed to explain what paperwork was being served. Mr. Granet discussed Lougan v. Sophia Enterprises which involved a lease that the court treated as terminated, even though there was no termination right in the lease.

7. FUTURE MEETINGS:

February 7, 2014 – Ritz Carlton, Amelia Island, Florida

May 29, 2014 – south Seas Island Resort, Captiva, Florida

8. ADJOURN: there being no further business the meeting was adjourned at 4:45 p.m.