

REAL ESTATE LEASING COMMITTEE
The Florida Bar – Real Property, Probate and Trust Law Section
Meeting Minutes – June 2, 2016

TO: All Real Estate Leasing Committee Members

FROM: Rick Eckhard, Chair

RE: June 2, 2016 Meeting Minutes

LOCATION: Venetian II, Lowes Portofino Bay Hotel, Orlando, FL

1. **WELCOME AND INTRODUCTIONS:** Committee Chair Rick Eckhard convened the meeting at 2:35pm and welcomed the Committee members. Those attending the meeting either in person or via teleconference are shown on Attachment 1 to the minutes. Chair Eckhard first explained that Katherine Lupo had resigned as administrator and secretary of the Real Estate Leasing Committee and that Christopher A. Sajdera has assumed the same duties and position.

2. **APPROVAL OF PRIOR MINUTES:** Vice Chair Brenda Ezell moved to approve the minutes and Lloyd Granet seconded the Motion. The Motion passed unanimously.

3. **CHAIR'S REPORT:**

A. **Continuing Legal Education:** A Report was provided on the CLE, the Law for a Lawyer's Own Business. Sixteen different speakers are participating in this 4-part CLE that dissects the anatomy of the lease. The CLE is taught from the perspective of small firm or sole practitioner, who must negotiate a lease for its own firm, and deal with day-to-day operations. June 15 is the next installment of the series. On July 13, members can purchase the entire series. Each seminar focuses on its own topic, along with written materials.

B. **Legislative Report:** The Report on the status of Senator Gibson's proposed renter's insurance bill was tabled for a future meeting.

4. **CURRENT BUSINESS:** No issues were raised during this Agenda item.

5. **PROBLEM STUDIES PRESENTATION:** Daniel Carusi (appearing by phone) discussed and presented to the Committee revisions to the unlawful detainer law. Daniel proposed changes to Chapter 83 and Chapter 86 ejectment and detainer statute. Further, the proposal suggests changes to Section 66.021 in defining the “right of action”; a more clear definition to jurisdictional issues relating to circuit courts; Subsection 3 of Section 56.021 would be revised as it relates to the chain of title; and Section 66.021 would be revised to have all remedies be cumulative.

In the proposed changes to the Detainer statute, in Chapter 82, HB 503, some of the changes included a changed in the definition of “unlawful detention”; the definition for “property”, that Chapter 82 does not apply to residential tenancies; that Section 82.013 defines all available remedies; that summary procedure applies in matters governed by Chapter 82, and for Section 82.08, the term “dwelling” is changed to the term “property.”

Daniel proposed putting forth the proposed legislation since the topic had been discussed at the last 5-6 meetings. Drew O'Malley, Chair Elect of the Section, discussed that it will be difficult to have the item as a 2017 legislative action item, but that the 2018 session is more likely. Rob Friedman states that other committees will need to comment on the proposed revisions before the matter can be put forth as a legislative action item.

The Committee had some limited discussion on the presentation. The Presentation was tabled to the Breaker's meeting to provide an opportunity to disseminate the proposed changes for discussion, and matter would be placed on that agenda.

6. **CASE DISCUSSION/OPEN FORUM:** There was no CLE discussion at this meeting because of the ongoing CLE 4-part series. Chair Eckhard explained that portions of that series will be used as a CLE in future meetings. An Agenda item for the next meeting will be changes

to Chapter 83 and a Realtor's involvement, along with a discussion of how Condominium Committee has reacted.

7. **FUTURE MEETING:** Thursday, July 28, 2016; 2:00-3:00 p.m.

The Breakers, Palm Beach, FL

8. **ADJOURN:** The meeting adjourned at 3:10pm

Timestamp	Did you attend in person	Name	
6/2/2016 9:45:06	In Person	Christopher Sajdera	
6/2/2016 10:35:03	By Teleconference	Jay Taplin	
6/2/2016 12:56:43	By Teleconference	Dana Grutchfield	
6/2/2016 14:20:13	By Teleconference	CYNTHIA RIOS	
6/2/2016 14:33:43	By Teleconference	James Glover	
6/2/2016 14:33:58	By Teleconference	Shaunda L. Brown	
6/2/2016 14:35:32	By Teleconference	Wiley Boston	
6/2/2016 14:37:35	By Teleconference	Kathrine Lupo	
6/2/2016 14:37:45	In Person	Neil shoter	
6/2/2016 14:37:53	In Person	Brenda Ezell	
6/2/2016 14:38:41	In Person	Lloyd granet	
6/2/2016 14:40:33	By Teleconference	Daniel S. Carusi	
6/2/2016 14:43:55	In Person	Robert M Schwartz	
6/2/2016 14:44:31	In Person	Kristopher E. Fernandez	
6/2/2016 14:57:11	In Person	John Neukamm	
6/2/2016 15:07:28	By Teleconference	David Weisman	
6/2/2016 15:12:31	In Person	Phyllis Harley	
6/2/2016 15:19:04	In Person	Trey Goldman	
6/2/2016 18:47:53	By Teleconference	Lainie Simon	
6/2/2016 19:13:58	In Person	Marcia tabak	
6/2/2016 20:14:33	In Person	Sancha Whynot	
6/3/2016 14:43:05	In Person	Salome Zikakis	