

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE AND THE FINANCE/CITYWIDE PROJECTS COMMITTEE, URGING THE MIAMI-DADE COUNTY CLERK OF COURTS TO INCLUDE INFORMATION, IN ENGLISH AND SPANISH, ABOUT THE CITY'S EMERGENCY SHELTER AND RENT ASSISTANCE SERVICES AVAILABLE TO RESIDENTS OF THE CITY OF MIAMI BEACH WHO ARE SERVED WITH EVICTION PROCEEDINGS.**

**WHEREAS**, the Mayor and Commission made a referral to the Neighborhoods/Community Affairs Committee to discuss the eviction process and the municipal services available to Miami Beach residents facing eviction; and

**WHEREAS**, the topic was discussed by the Neighborhood/Community Affairs Committee at its October 23, 2019 meeting; and

**WHEREAS**, the legal eviction process follows the following steps:

1. The tenant receives written notice from the landlord requesting the tenant to vacate the premises;
2. The tenant is served with a summons and complaint that is delivered by either a sheriff (police) or a certified process server;
3. The tenant is afforded the opportunity to respond to the summons and complaint;
4. The court (via a judge) can either grant or deny the eviction;
5. After the court enters a judgement for eviction, the Clerk will issue a writ of possession, commanding the sheriff to put the landlord in possession, after 24 hours' notice, conspicuously posted on the premises; and
6. The sheriff enforces the writ of possession if the tenant fails to vacate the premises as ordered; and

**WHEREAS**, the City provides rent assistance and emergency shelter to Miami Beach residents at-risk of homelessness due to residential evictions; and

**WHEREAS**, as a courtesy, the City's Office of Housing and Community Services has provided information and flyers regarding this assistance to local churches that provide rent assistance and to the Miami Beach District Court, located at 1130 Washington Avenue (Old City Hall); and

**WHEREAS**, currently, the Miami-Dade County Clerk of Courts includes a flyer, which lists community-based rent assistance providers, which flyer is stapled to the summons and complaint that is to be served upon the tenant and/or the premises in an eviction proceeding; and

**WHEREAS**, the Finance/Citywide Projects Committee, at its October 23, 2019 meeting, recommended urging the Miami-Dade County Clerk of Courts to include, in English and Spanish, information about the resources the City makes available to its residents facing eviction so they may access City services immediately upon receiving notice of the eviction proceeding, rather than after the eviction proceeding has been completed; and

**WHEREAS**, the Mayor and City Commission urge the Miami-Dade County Clerk of Courts to include a bilingual resource flyer with the eviction notices and complaints being processed within the City limits in order to ensure inclusivity and understanding of the resources available to evicted Miami Beach residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby accept the recommendation of the Neighborhood/Community Affairs Committee and the Finance/Citywide Projects Committee, urging the Miami-Dade County Clerk of Courts to include information, in English and Spanish, about the City's emergency shelter and rent assistance services available to residents of the City of Miami Beach who are served with eviction proceedings.


**PASSED** and **ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Dan Gelber, Mayor

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

12/2/19  
\_\_\_\_\_  
Date