

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO AMEND THE FLORIDA RESIDENTIAL LANDLORD AND TENANT ACT TO PROVIDE FOR EARLY LEASE TERMINATION FOR TENANTS EXPERIENCING DOMESTIC OR INTIMATE PARTNER VIOLENCE, PROHIBIT LANDLORDS FROM EVICTING TENANTS EXPERIENCING DOMESTIC OR INTIMATE PARTNER VIOLENCE, AND EXPLORE FURTHER DOMESTIC VIOLENCE HOUSING PROTECTIONS SPECIFIED IN THE RESOLUTION.**

**WHEREAS**, “The number of American troops killed in Afghanistan and Iraq between 2001 and 2012 was 6,488. The number of American[s] . . . who were murdered by current or ex . . . partners during that time was 11,766. That’s nearly double the amount of casualties lost during war<sup>1</sup>,” and

**WHEREAS**, on average, nearly 20 people per minute are physically abused by an intimate partner in the United States, equating to more than 10 million women and men annually; and

**WHEREAS**, according to the National Coalition Against Domestic Violence, 37.9% of Florida women and 29.3% of Florida men experience intimate partner dating violence, intimate partner sexual violence, and/or intimate partner stalking in their lifetimes; and

**WHEREAS**, in 2019, 105,298 domestic violence incidents were reported to police in Florida, and 221 Floridians were killed in domestic violence incidents; and

**WHEREAS**, a major factor that facilitates victim harm is that abusers are often co-tenants or know where the victim lives, and consequently, personal violence victims who fail to move are at risk of being severely injured or killed; and

**WHEREAS**, currently, under the Florida Residential Landlord and Tenant Act (the “Act”) there are no protections from evictions for tenants experiencing domestic or intimate partner violence, and there is no right to early lease termination for tenants who must move to escape domestic, stalking, sexual, or dating violence; and

**WHEREAS**, this means that tenants who are also victims of personal violence may end up homeless, or can be held financially liable by their landlords for moving prior to the lease end date, even if the move is necessary to immediately evade an abuser, which often results in tenant-victims remaining on the same premises as their abusive co-tenant or partner; and

---

<sup>1</sup> Alanna Vagianos, 30 Shocking Domestic Violence Statistics that Remind Us It’s an Epidemic, HUFFINGTON POST (Oct. 23, 2014, 9:25 AM) (citations omitted), [https://www.huffingtonpost.com/2014/10/23/domestic-violencestatistics\\_n\\_5959776.html](https://www.huffingtonpost.com/2014/10/23/domestic-violencestatistics_n_5959776.html) [<https://perma.cc/49TK-KM6K>].

**WHEREAS**, Florida is in the minority of states that have failed to protect tenant-victims by not granting tenant-victims early lease termination rights, and the state's failure to grant a right to early lease termination and further protections to the victims of domestic violence compounds the physical and psychological harm that victims face; and

**WHEREAS**, amending the to grant tenant-victims early lease termination rights would be a proactive solution, allowing tenant-victims the option of moving from abusers to forgo harm and offer an avenue of safety that many tenant-victims currently do not have; and

**WHEREAS**, in addition to authorizing early lease termination with no penalties, other examples of state domestic violence housing protections that could be adopted by the state, including laws that: (1) prohibit housing discrimination based on an applicant or tenant's status as a survivor of domestic violence; (2) provide an eviction defense where the landlord tries to evict the victim because the abuser committed a crime or lease violation at the rental unit; (3) bar landlords from limiting a tenant's right to call for police or emergency assistance; and (4) require landlords to change locks where tenants have provided documentation of domestic violence.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA** that the Mayor and the City hereby urging the Florida Legislature to amend the Florida Residential Landlord and Tenant Act to provide for early lease termination for tenants experiencing domestic or intimate partner violence, prohibit landlords from evicting tenants experiencing domestic or intimate partner violence, and explore further domestic violence housing protections specified in the Resolution.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023.


ATTEST:

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

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

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

(Sponsored by Commissioner Alex J. Fernandez)

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

1-24-23  
Date