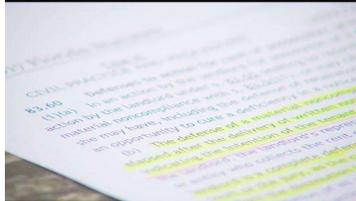


## What are your rights if you're renting a home damaged in a storm?

Posted: Sep 22, 2017 5:50 PM EDT  
By Rachel Polansky, Reporter



If you're dealing with a hurricane-damaged home or apartment and you're a renter, you still have rights.

[Florida law gives tenants the right](#) to demand repairs from their landlords or to withhold rent payments if the landlord doesn't take any action.

"They need to notify their landlord in writing, make sure they provide a return receipt or some sort of documentation that the landlord received it, and then allow seven days for the landlord to take action to fix those issues," said Kara Jursinski Murphy, a real estate attorney at Kevin F. Jursinski and Associates. "If they are not taking action within receipt of the letter in seven days, then the tenant can withhold rent and potentially vacate themselves."

"The roof is destroyed, the windows are broken," described Sanette Salisbury of Felda. The storm damaged the single mother of four's mobile home.

"We own the house, but we don't own the property," said Salisbury.

Salisbury rents the property from a landlord, but she owns her mobile home. That means she is responsible for repairing the damage and continuing to pay her landlord.

It's a different situation for Leyda Garcia of Immokalee.

Garcia rents her mobile home and rents her property. That means her landlord will be responsible for her hurricane repairs.

According to real estate attorney, Jursinski Murphy, renters must follow Florida's 'Landlord and Tenant statute' to ensure they get what they deserve.

"Often times, the mobile homes are owned by the tenant themselves and they're just leasing the land from the landlord or from a park. If the trailer or mobile home is owned by the tenant, it's the tenant's personal property and it's the tenant's obligations to make those repairs. If it's owned by the landlord and the landlord is just renting out the mobile

home or the facility to the tenants, then it's still the landlord's responsibility and they would have to make repairs," said Murphy.

If their home is deemed uninhabitable, tenants can leave, but they must notify their landlords first.

If the tenant chooses to stay, they will have to continue paying rent.

To find out what your landlord's obligations are in the case of hurricane damage, refer to your lease.

If you don't have a lease, the state's 'Landlord and Tenant statute' does have some safety measures in place to look out for you. The following links provide more legal information renters should know:

[CHAPTER 83.50](#)

[CHAPTER 83.60](#)