

**ARTICLE VII. TENANT'S BILL OF RIGHTS AND THE PROHIBITION OF SOURCE OF  
INCOME DISCRIMINATION**

**Sec. 12-140. Title.**

This article shall be known and may be cited as the "Tenant's Bill of Rights and Source of Income Anti-Discrimination Ordinance".

(Ord. No. 2022-51, § 2, 3-17-2022)

**Sec. 12-141. Definitions.**

For the purpose of this article, the following terms shall have the meanings as indicated. No attempt is made to define any words which are used in accordance with their established dictionary meaning, except when necessary to avoid misunderstanding. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include words in the plural number, and the use of any gender shall be applicable to all genders whenever the sense requires. The words "shall," "will" and "must" are mandatory and the word "may" is permissive.

*Lawful source of income* shall mean the income from: 1) a lawful profession, occupation or job; 2) any government or private assistance, grant, loan or housing assistance program or subsidy, including but not limited to Housing Choice (Section 8) Vouchers and Veterans Affairs Supportive Housing (VASH) Vouchers, Social Security, and Supplemental Security Income; 3) a gift, an inheritance, a pension or other retirement benefits, an annuity, trust income, investment income, alimony, child support, or veteran's benefits; or 4) the sale of property or an interest in property. A person renting more than one rental unit may require reasonable verification of the lawful source of income from a tenant so long as such verification is required from all tenants leasing or renting rental units from that same person.

*Notice of rights* shall mean a printed, paper copy, available in both English and Spanish, in font 12-pt or larger and on paper of 8½ by 11 inches or larger, of a notice of rights and services available to tenants in the city, in a form approved by the city by resolution. For purposes of this article, if a tenant has consented to receiving and signing documents via electronic means, then the notice of rights may be provided to the tenant in electronic form rather than as a printed, paper copy.

*Person* shall mean any individual, firm, corporation or other organization or group of persons however organized, including but not limited to any landlord, owner, lessee, lessor, sublessee, sublessor, assignee, assignor, manager, real estate broker, salesperson, condominium association, homeowners' association, cooperative association, or any representative of any of the foregoing.

*Rental agreement* shall mean an agreement, either written or oral, by which a tenant is entitled to possess a rental unit in exchange for consideration, or is a "rental agreement", as defined in F.S. § 83.43, as it may be amended.

*Rental unit* shall mean a residential housing unit that is or may be occupied by a tenant who does not own the property in exchange for consideration and by virtue of an agreement with the owner of such residential property, or which is a "dwelling unit", as defined in F.S. § 83.43, as it may be amended.

---

*Tenant* shall mean a natural person or persons who shall occupy, attempt to occupy, or inquire about occupying a rental unit in exchange for consideration and by virtue of a written or oral agreement with the owner of such rental unit, or are a "tenant" as defined in F.S. § 83.43, as it may be amended.

(Ord. No. 2022-51, § 2, 3-17-2022)

**Sec. 12-142. Notice of tenants rights required.**

- (a) It shall be unlawful for a person to allow a tenant to apply to rent, or in instances where no application is required, to occupy, a rental unit under said person's control or authority without first providing the tenant with a copy of the notice of rights.
- (b) For existing tenants already occupying a rental unit as of the date of enactment of this article, the notice of rights shall be provided prior to the commencement of a new rental term. For tenants with recurring rental terms of thirty (30) days or less, the notice of rights shall be provided prior to initial commencement of the rental term and thereafter no less than once per year. Notices are not required for short term rentals with non-recurring rental terms of thirty (30) days or less.
- (c) The contents of the notice of rights will be approved by city council resolution, but it shall generally include information on tenants' rights under federal, state and local law and contact information for organizations available to provide assistance to tenants.
- (d) There shall be a rebuttable presumption that a person has complied with this section if the person can provide a written, dated and signed affirmation from the tenant stating that the tenant has received the notice of rights. The signed affirmation shall be retained for at least one year after the tenant vacates the rental unit.
- (e) No penalties shall be assessed for conduct violating this section occurring prior to June 1, 2022.
- (f) For a person's first violation of this section, the city's division of neighborhood enhancement or any successor city division or department responsible for enforcement of the city's Code shall have the discretion to provide a reasonable time period, not to exceed twenty-one (21) calendar days, within which the person must correct the violation, as provided in section 9-3(b) of the city's Code of Ordinances.
- (g) This section does not create any private causes of action and may only be enforced as provided herein.

(Ord. No. 2022-51, § 2, 3-17-2022)

**Sec. 12-143. Prohibition of source of income discrimination.**

- (a) It shall be unlawful and is hereby prohibited for any person:
  - (1) To refuse to rent, show or lease, to refuse to negotiate for the rental of, or otherwise to make unavailable or deny, a rental unit to any tenant because of that tenant's lawful source of income, or because of the tenant's status with regard to a public assistance program, or because of any requirements of a public assistance program. However, this section shall not be construed as requiring a person to: (a) reduce the amount of rent normally charged for a rental unit; (b) waive any security deposit, fee or similar charge required from all tenants renting rental units from that person; or (c) make repairs or improvements to a rental unit or conduct maintenance activities not otherwise legally required by City Code or by the applicable laws and regulations of the State of Florida.
  - (2) To discriminate against any tenant in the terms, conditions, or privileges of the rental or lease of a rental unit, or in the provision of services or facilities in connection therewith, because of that tenant's lawful source of income.

- 
- (3) To use a financial or income standard in assessing eligibility for the rental of a rental unit that is not based on the portion of the rent to be paid by the tenant in instances where there is a government rent subsidy or assistance, which will be used to pay for a portion of the rent for that rental unit. The financial or income standard, if used, may include reasonable living costs and utilities in addition to rent; however a person may only use a financial or income standard in assessing eligibility for the rental of rental units, if the same standard is applied to all of that person's tenants renting a rental unit regardless of lawful source of income.
  - (4) To represent to any tenant because of the tenant's lawful source of income that any rental unit is not available for inspection or rental when such rental unit is in fact so available.
  - (5) To make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the rental of a rental unit that indicates any preference, limitation, or discrimination based on a lawful source of income, or an intention to make any such preference, limitation, or discrimination.
  - (6) To induce or attempt to induce another person, for profit, to rent any rental unit by representations regarding the entry or prospective entry into the neighborhood of a tenant with particular lawful sources of income.
- (b) Complaints regarding any alleged violation of this section shall be initially investigated by the office of human rights. Based on that investigation, if the administrator of the office of human rights finds reasonable cause that this section has been violated, then the administrator shall refer its investigation report to the city's division of neighborhood enhancement for further investigation and enforcement as set forth in section 12-144 below. In addition, either the city's office of human rights or division of neighborhood enhancement is authorized to report violations to any local, state or federal authority. Investigation and enforcement by the city may occur concurrently with any investigation and enforcement actions by local, state or federal authorities.
  - (c) No penalties shall be assessed for conduct violating this section occurring prior to June 1, 2022.
  - (d) This section does not create any private causes of action and may only be enforced as set forth herein.
- (Ord. No. 2022-51, § 2, 3-17-2022)

### **Sec. 12-144. Enforcement and penalties.**

- (a) The City of Tampa Division of Neighborhood Enhancement (or such successor city division or department responsible for the enforcement of the City Code of Ordinances) is empowered to investigate any situation where a person is alleged to be violating this article.
- (b) The City of Tampa Division of Neighborhood Enhancement (or such successor city division or department responsible for the enforcement of the City Code of Ordinances) is authorized to enforce this article through the issuance of a noncriminal civil citation in accordance with F.S. Ch. 162, Part II, and the "City of Tampa Supplemental Enforcement Procedures Ordinance" contained in Chapter 23.5 of the City of Tampa Code of Ordinances.
- (c) Violations of this article shall be considered a "Class IV" violation and subject to a fine as provided in section 23.5-5 of the City of Tampa Code of Ordinances.

(Ord. No. 2022-51, § 2, 3-17-2022)

---

**Sec. 12-145. Exemptions.**

- (a) This article shall not apply to Rental Units governed exclusively by F.S. Ch. 723 relating to mobile home park lot tenancies.

(Ord. No. 2022-51, § 2, 3-17-2022)