

motion to dismiss eviction florida

motion to dismiss eviction florida is a critical legal tool for tenants facing eviction proceedings in the Sunshine State. Understanding its purpose, when it's applicable, and how to effectively file one can be the difference between remaining in your home or being forced to vacate. This article delves deep into the intricacies of a motion to dismiss an eviction in Florida, exploring the common grounds for such a motion, the procedural steps involved, and the potential outcomes. We will guide you through the essential aspects of challenging an eviction lawsuit, providing comprehensive information for tenants seeking to defend their housing rights.

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Understanding the Motion to Dismiss Eviction Florida

A motion to dismiss an eviction lawsuit in Florida is a formal request made by a tenant to the court, asking for the case to be thrown out before it proceeds to a full trial. This legal maneuver asserts that there are fundamental flaws in the landlord's case or the way the eviction was initiated, rendering the lawsuit invalid. Essentially, it's an early challenge to the eviction complaint. Tenants often resort to a motion to dismiss when they believe their landlord has not followed proper legal procedures, or when the eviction itself lacks a legitimate legal basis under Florida's landlord-tenant laws. The goal is to prevent an unjust eviction by highlighting procedural errors or substantive legal deficiencies in the landlord's claim for possession of the property.

When Can a Motion to Dismiss Eviction Florida Be Filed?

The timing of a motion to dismiss eviction Florida is crucial. Generally, it must be filed as early as possible in the eviction process, typically before the tenant files a formal answer to the eviction complaint. In Florida, after being served with an eviction lawsuit (often a "Complaint for Eviction" or "Summons"), a tenant usually has a limited timeframe, often five business days for rent payment or to vacate, and a slightly longer period to file a response with the court. If the tenant intends to file a motion to dismiss, it should be done within this initial response period. Filing it late could mean the court deems the tenant to have waived their right to challenge the eviction on those specific grounds, and the case may proceed without addressing the motion.

Common Grounds for a Motion to Dismiss Eviction Florida

Several valid legal reasons can support a motion to dismiss an eviction action in Florida. These grounds are designed to protect tenants from unlawful or procedurally unsound evictions. Identifying the correct ground is essential for a successful motion.

Improper Service of Process

One of the most frequent and successful grounds for a motion to dismiss eviction Florida is improper service of process. Florida law dictates specific methods for serving a tenant with an eviction lawsuit. These methods are designed to ensure the tenant receives proper notice of the legal action against them. If the landlord or their representative fails to adhere to these precise service requirements – for instance, by serving a person not residing in the

unit, serving at the wrong address, or failing to follow the statutory steps for substituted service – the tenant may argue that the court lacks jurisdiction because they were not properly notified. This procedural defect can lead to the dismissal of the eviction case.

Failure to State a Claim

A motion to dismiss can also be based on the argument that the landlord's complaint fails to state a legally sufficient claim for eviction. This means that even if everything the landlord alleges in their complaint is true, it does not, as a matter of law, entitle them to an eviction. For example, if the landlord is seeking eviction for non-payment of rent but fails to provide a legally adequate notice to quit or if the grounds for eviction cited are not recognized under Florida law, the tenant can file a motion to dismiss for failure to state a claim upon which relief can be granted.

Lack of Jurisdiction

Jurisdiction refers to the court's authority to hear and decide a case. A tenant can file a motion to dismiss if they believe the court does not have proper jurisdiction over the eviction case. This could occur if the property is not located within the court's geographical area of authority, or if the amount of rent claimed is outside the court's monetary limits for handling such disputes. However, in typical residential eviction cases in Florida, this is less common than other grounds.

Retaliatory Eviction

Florida law prohibits landlords from retaliating against tenants for exercising their legal rights. If a tenant has recently reported code violations to a government agency, requested necessary repairs, or joined a tenants' union, and the landlord subsequently attempts to evict them, this could be considered a retaliatory eviction. A motion to dismiss based on retaliatory eviction would argue that the landlord's true motive is to punish the tenant for protected activities, not for a legitimate reason related to the tenancy.

Other Valid Defenses

Beyond the above, other valid defenses can form the basis of a motion to dismiss eviction Florida. These might include:

- The landlord has not maintained the property in a safe and habitable condition, and the tenant has provided proper notice of the issues.
- The landlord has accepted rent after serving a notice to quit for non-payment, which can waive the notice.

- The eviction is discriminatory based on race, religion, familial status, or other protected characteristics.
- The landlord failed to follow the terms of the lease agreement before initiating eviction proceedings.

The Process of Filing a Motion to Dismiss Eviction Florida

Navigating the court system can be daunting, but understanding the steps involved in filing a motion to dismiss eviction Florida can empower tenants. It's a formal legal process that requires attention to detail and adherence to court rules.

Drafting the Motion

The first step is to draft the motion itself. This document should clearly state which specific legal ground(s) the tenant is relying on for the dismissal. It must cite relevant Florida Statutes and case law if possible. The motion should detail the factual basis for each ground, explaining why the landlord's case is legally deficient or why the eviction process was flawed. It should be concise, clear, and persuasive. A properly drafted motion often requires knowledge of legal terminology and court procedures.

Filing with the Court

Once drafted, the motion must be filed with the clerk of the court where the eviction lawsuit was filed. This typically involves submitting the original document and any necessary copies to the clerk's office. There may be a small filing fee associated with the motion. The tenant should ensure they receive a file-stamped copy of the motion as proof of filing. It is crucial to file the motion within the prescribed deadline to avoid waiving the right to do so.

Serving the Landlord or Property Manager

After filing, the tenant must formally "serve" a copy of the motion on the landlord or their attorney, if they have one. This ensures the opposing party is aware of the tenant's challenge and has an opportunity to respond. The rules for service are strict and typically mirror the rules for serving the initial eviction complaint. Common methods include personal delivery, certified mail, or leaving a copy with a resident at the landlord's usual place of business. Proof of this service must be filed with the court.

The Hearing

Following the filing and service of the motion, the court will usually schedule a hearing. At this hearing, both the tenant (or their attorney) and the landlord (or their attorney) will have an opportunity to present their arguments. The tenant will explain why the eviction case should be dismissed based on the grounds outlined in the motion. The landlord will then have a chance to argue against the dismissal, explaining why their case is valid and should proceed. The judge will listen to both sides, review the submitted documents, and make a ruling.

Potential Outcomes of a Motion to Dismiss Eviction Florida

The outcome of a motion to dismiss eviction Florida can vary. If the judge grants the motion, the eviction lawsuit is dismissed, and the tenant is not required to vacate the property based on that particular lawsuit. However, a dismissal might be "without prejudice," meaning the landlord could potentially refile the eviction case if they can correct the procedural errors or provide a legally sufficient claim. If the judge denies the motion, the eviction case will proceed as scheduled, and the tenant will need to continue defending themselves through other legal means, such as filing an answer and preparing for trial.

Seeking Legal Assistance for Your Motion to Dismiss Eviction Florida

Given the complexity of legal procedures and the potential consequences of an eviction, seeking legal advice is highly recommended for anyone considering filing a motion to dismiss eviction Florida. An experienced landlord-tenant attorney can assess the specifics of the case, identify valid grounds for dismissal, draft a compelling motion, and represent the tenant in court. Many legal aid organizations and tenant advocacy groups offer free or low-cost legal services to individuals who qualify. Consulting with a legal professional can significantly increase the chances of a favorable outcome and help protect a tenant's right to housing.

Frequently Asked Questions

What are the most common grounds for filing a motion to dismiss an eviction in Florida?

Common grounds include improper service of notice (e.g., incorrect type of notice, insufficient timeframes, incorrect recipient), defects in the complaint itself (e.g., missing information, incorrect parties, improper legal basis), failure to obtain a required pre-suit

notice or mediation (in some jurisdictions or for specific circumstances), or if the landlord fails to prove a valid landlord-tenant relationship or a breach of the lease agreement. Also, if the eviction is retaliatory or discriminatory, that can be a basis for dismissal.

Can a tenant file a motion to dismiss an eviction in Florida without an attorney?

Yes, tenants in Florida have the right to represent themselves and file a motion to dismiss an eviction. However, eviction proceedings are legal matters, and understanding the specific legal requirements and procedures is crucial. It is highly recommended that tenants consult with an attorney or a legal aid organization to ensure their motion is properly drafted and filed, as errors can lead to dismissal of their motion and continuation of the eviction.

What is the deadline for a tenant to file a motion to dismiss an eviction in Florida after being served?

The deadline to file an answer or responsive pleading, which includes a motion to dismiss, is typically five (5) business days after being served with the Summons and Complaint in Florida evictions. This timeframe excludes Saturdays, Sundays, and legal holidays. Failing to meet this deadline can result in a default judgment against the tenant.

What happens if a motion to dismiss an eviction in Florida is granted?

If a motion to dismiss is granted by the court, the eviction case is dismissed, and the landlord's lawsuit is terminated. This means the tenant is not required to move out based on that specific eviction action. The landlord may then have to refile the eviction if they can correct the issues that led to the dismissal, or they may abandon the eviction attempt.

What is the difference between a motion to dismiss and an affirmative defense in an eviction case in Florida?

A motion to dismiss argues that the eviction complaint is legally flawed and should be thrown out by the court before a trial or hearing on the merits. It focuses on procedural or technical defects in the landlord's case. An affirmative defense, on the other hand, is a defense raised by the tenant after the initial pleadings, admitting certain facts but presenting additional facts that, if proven, would defeat the landlord's claim. Examples of affirmative defenses include retaliation, breach of the warranty of habitability, or discrimination.

Additional Resources

Here are 9 book titles related to "motion to dismiss eviction Florida," with short descriptions:

1. The Eviction Defense Playbook: Florida Edition

This book provides a comprehensive guide for tenants facing eviction in Florida. It walks readers through understanding the eviction process, identifying common procedural errors made by landlords, and strategically filing motions to dismiss. The focus is on practical advice and legal precedents that can lead to a successful defense and dismissal of an eviction case.

2. Cracking the Code: Florida Eviction Motions That Win

This title delves into the intricacies of crafting winning motions to dismiss in Florida eviction lawsuits. It explores various grounds for dismissal, such as improper service of notice, lack of standing, or violations of landlord-tenant law. The book offers actionable strategies and sample language to help tenants and their advocates effectively challenge the landlord's claims.

3. Procedural Pitfalls: Avoiding Eviction in Florida Courts

This resource highlights the common procedural mistakes that landlords often make in Florida eviction cases, creating grounds for dismissal. It educates tenants on how to identify these errors, from incorrect forms to missed deadlines, and how to leverage them in a motion to dismiss. The aim is to empower tenants with knowledge of the system to protect their housing rights.

4. Tenant's Shield: Mastering the Motion to Dismiss in Florida Evictions

Designed as a protective tool for tenants, this book focuses on the power of the motion to dismiss as a primary defense strategy in Florida evictions. It explains when and how to file such a motion, covering essential legal requirements and the types of defects that can invalidate an eviction lawsuit. The guide aims to demystify legal jargon and provide clear, step-by-step instructions.

5. Beyond the Notice: Advanced Florida Eviction Defense Strategies

This book goes beyond the basic notice requirements and explores more sophisticated defense tactics for Florida evictions, with a strong emphasis on motions to dismiss. It covers complex legal arguments and case law that can be used to challenge the landlord's case at its earliest stages. The material is geared towards tenants seeking to understand and employ advanced legal maneuvers.

6. The Florida Eviction Lawsuit Buster: A Guide to Motions to Dismiss

This straightforward guide is intended to help tenants "bust" their way out of an eviction lawsuit by mastering the motion to dismiss. It breaks down the legal grounds for dismissal in simple terms and provides practical tips for identifying landlord errors. The book emphasizes understanding the court's expectations for valid legal proceedings.

7. Winning Without Trial: Florida Eviction Dismissal Tactics

This title focuses on strategies for achieving a dismissal of an eviction case in Florida without the need for a full trial. It meticulously details how to identify and articulate valid reasons for a motion to dismiss, effectively ending the landlord's case early. The book aims to equip tenants with the knowledge to strategically present their defense.

8. Florida Eviction: Navigating the Legal Maze with Motions to Dismiss

This book serves as a roadmap for tenants navigating the often complex legal landscape of Florida evictions, specifically through the lens of filing motions to dismiss. It explains the critical procedural steps and legal arguments necessary to successfully get an eviction case thrown out of court. The focus is on clarity and practical application for tenants facing

housing instability.

9. Justice Delayed: How to File a Motion to Dismiss in Florida Eviction Cases

This title addresses the importance of timely and effective legal action in Florida evictions, particularly when filing a motion to dismiss. It outlines the process for preparing and submitting such motions, emphasizing the critical deadlines and evidentiary requirements. The book empowers tenants to seek prompt resolution and justice by challenging the validity of the eviction from the outset.

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Navigating Florida's Eviction Process: A Comprehensive Guide to Motion to Dismiss

This ebook provides a detailed explanation of Florida's eviction process, focusing specifically on how to file and effectively utilize a Motion to Dismiss, a crucial tool for tenants facing eviction. Understanding this legal maneuver can significantly impact the outcome of an eviction case, protecting tenants' rights and potentially preventing unlawful displacement.

Ebook Title: Fighting Eviction in Florida: A Tenant's Guide to Motions to Dismiss

Outline:

Introduction: Understanding Florida's Eviction Laws and the Importance of a Motion to Dismiss.

Chapter 1: Grounds for a Motion to Dismiss: Exploring the various legal bases for challenging an eviction lawsuit.

Chapter 2: Filing a Motion to Dismiss: A Step-by-Step Guide: A practical walkthrough of the process, including forms, deadlines, and court procedures.

Chapter 3: Supporting Your Motion: Evidence and Legal Arguments: Essential components for building a strong case and increasing the chances of success.

Chapter 4: Responding to the Landlord's Response: Strategies for addressing the landlord's counterarguments and maintaining a strong defense.

Chapter 5: Potential Outcomes and Next Steps: Understanding the possible rulings and subsequent actions after filing a Motion to Dismiss.

Chapter 6: Seeking Legal Assistance: The importance of legal representation and resources available to tenants facing eviction.

Chapter 7: Preventing Eviction: Proactive Measures: Strategies for avoiding eviction situations in the first place.

Conclusion: Recap of key points and emphasizing the importance of understanding tenant rights.

Introduction: Understanding Florida's Eviction Laws and the Importance of a Motion to Dismiss.

This section sets the stage by briefly explaining Florida's eviction laws, the different types of evictions (e.g., for cause, non-payment of rent), and the overall process. It then introduces the Motion to Dismiss as a powerful legal tool for tenants to challenge the eviction lawsuit's validity at its earliest stages, potentially saving them time, money, and the stress of displacement. It highlights the importance of understanding the legal grounds for a successful Motion.

Chapter 1: Grounds for a Motion to Dismiss:

This chapter delves into the specific legal reasons a tenant can use to file a Motion to Dismiss in a Florida eviction case. It covers common grounds such as: lack of jurisdiction, insufficient service of process, failure to state a cause of action (meaning the eviction complaint doesn't meet legal requirements), and improper venue. It provides real-world examples and analyzes recent case law to illustrate these points. Key terms like "lack of personal jurisdiction," "due process," and "statute of limitations" are explained clearly.

Chapter 2: Filing a Motion to Dismiss: A Step-by-Step Guide:

This chapter provides a practical guide to the filing process. It details the necessary forms, the correct court to file in, filing fees, deadlines, and the required format for the Motion. It offers sample motions and explains how to properly cite legal authorities. Specific instructions for Florida's electronic filing systems (e-filing) are included, along with advice on handling potential complications.

Chapter 3: Supporting Your Motion: Evidence and Legal Arguments:

This section emphasizes the crucial role of evidence in supporting a Motion to Dismiss. It explains how to gather and present relevant documents such as lease agreements, communication records, and witness statements. It clarifies the importance of constructing a logical and persuasive legal argument based on the chosen grounds for dismissal, referencing relevant case precedents and Florida statutes.

Chapter 4: Responding to the Landlord's Response:

The landlord will likely file a response to the Motion to Dismiss. This chapter guides tenants on how to effectively address the landlord's arguments, providing strategies for refuting their claims and strengthening their own case. It covers the importance of legal precision and the necessity of responding to all points raised by the landlord.

Chapter 5: Potential Outcomes and Next Steps:

This chapter outlines the possible outcomes of a Motion to Dismiss hearing. It explains scenarios where the motion is granted (dismissing the case), denied (proceeding with the eviction), or partially granted (some claims dismissed). It further guides tenants on the next steps depending on the court's ruling, including the possibility of appealing a denial or preparing for trial.

Chapter 6: Seeking Legal Assistance:

This chapter underscores the significant benefits of obtaining legal counsel. It discusses the complexities of eviction law and the potential consequences of representing oneself. It provides resources for finding legal aid organizations, pro bono attorneys, and affordable legal representation for low-income tenants in Florida.

Chapter 7: Preventing Eviction: Proactive Measures:

This chapter shifts from reactive to proactive strategies. It offers practical tips for tenants to avoid eviction situations, such as maintaining good communication with landlords, promptly paying rent, and understanding the terms of their lease agreement. It also explores the importance of understanding tenants' rights and responsibilities under Florida law.

Conclusion:

This section summarizes the key takeaways from the ebook, reiterating the importance of understanding tenant rights and the strategic use of a Motion to Dismiss in Florida eviction cases. It reinforces the need for timely action and seeking legal counsel when facing eviction proceedings.

FAQs:

1. What is a Motion to Dismiss in a Florida eviction case? A formal legal request to the court to dismiss an eviction lawsuit based on legal deficiencies in the landlord's case.
2. What are common grounds for a Motion to Dismiss in an eviction case? Lack of jurisdiction, insufficient service of process, failure to state a cause of action, and improper venue.
3. Do I need a lawyer to file a Motion to Dismiss? While you can file one yourself, legal representation is highly recommended due to the complexities of eviction law.
4. What are the deadlines for filing a Motion to Dismiss in Florida? Deadlines vary depending on the specific court and circumstances; check your court documents for specific deadlines.
5. What evidence should I include with my Motion to Dismiss? Relevant documents supporting your claims, such as lease agreements, communication records, and witness statements.
6. What happens if my Motion to Dismiss is denied? The eviction case will proceed, and you may need to prepare for a trial.
7. Where can I find legal assistance if I can't afford a lawyer? Legal Aid organizations, pro bono attorneys, and other resources are available in Florida.
8. Can I file a Motion to Dismiss if I owe rent? You can still file a motion if there are other grounds for dismissal, but non-payment of rent is a common reason for eviction.
9. What happens if the Motion to Dismiss is granted? The eviction case will be dismissed, and the landlord cannot pursue the eviction based on the flaws identified in their initial complaint.

Related Articles:

1. **Florida Eviction Laws: A Tenant's Guide:** A comprehensive overview of Florida's eviction laws, including tenant rights and landlord responsibilities.
2. **Understanding Florida's Landlord-Tenant Act:** A detailed explanation of the legal framework governing landlord-tenant relationships in Florida.
3. **Eviction Notices in Florida: What You Need to Know:** A guide explaining the different types of eviction notices and how to respond.
4. **How to Respond to an Eviction Complaint in Florida:** A step-by-step guide to responding to an eviction lawsuit filed against you.
5. **Appealing an Eviction Ruling in Florida:** Guidance on the process of appealing a court decision in an eviction case.
6. **Florida's Just Cause Eviction Laws:** An analysis of the limitations placed on landlords' ability to evict tenants in certain circumstances.
7. **Negotiating with Your Landlord to Avoid Eviction:** Practical tips and strategies for resolving rental disputes outside of court.
8. **Finding Affordable Legal Aid for Eviction Cases in Florida:** A directory of resources and organizations offering legal assistance to low-income tenants.
9. **Protecting Your Rights as a Florida Tenant:** A general guide to tenant rights and responsibilities, including information on fair housing laws.

motion to dismiss eviction florida: *Clearinghouse Review* , 2004

motion to dismiss eviction florida: A Matter of Interpretation Antonin Scalia, 2018-01-30

We are all familiar with the image of the immensely clever judge who discerns the best rule of common law for the case at hand. According to U.S. Supreme Court Justice Antonin Scalia, a judge like this can maneuver through earlier cases to achieve the desired aim—"distinguishing one prior case on his left, straight-arming another one on his right, high-stepping away from another precedent about to tackle him from the rear, until (bravo!) he reaches the goal—good law. But is this common-law mindset, which is appropriate in its place, suitable also in statutory and constitutional interpretation? In a witty and trenchant essay, Justice Scalia answers this question with a resounding negative. In exploring the neglected art of statutory interpretation, Scalia urges that judges resist the temptation to use legislative intention and legislative history. In his view, it is incompatible with democratic government to allow the meaning of a statute to be determined by what the judges think the lawgivers meant rather than by what the legislature actually promulgated. Eschewing the judicial lawmaking that is the essence of common law, judges should interpret statutes and regulations by focusing on the text itself. Scalia then extends this principle to constitutional law. He proposes that we abandon the notion of an everchanging Constitution and pay attention to the Constitution's original meaning. Although not subscribing to the "strict constructionism" that would prevent applying the Constitution to modern circumstances, Scalia emphatically rejects the idea that judges can properly "smuggle" in new rights or deny old rights by using the Due Process Clause, for instance. In fact, such judicial discretion might lead to the destruction of the Bill of Rights if a majority of the judges ever wished to reach that most

undesirable of goals. This essay is followed by four commentaries by Professors Gordon Wood, Laurence Tribe, Mary Ann Glendon, and Ronald Dworkin, who engage Justice Scalia's ideas about judicial interpretation from varying standpoints. In the spirit of debate, Justice Scalia responds to these critics. Featuring a new foreword that discusses Scalia's impact, jurisprudence, and legacy, this witty and trenchant exchange illuminates the brilliance of one of the most influential legal minds of our time.

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motion to dismiss eviction florida: Model Rules of Professional Conduct American Bar Association. House of Delegates, Center for Professional Responsibility (American Bar Association), 2007 The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between you and your clients, colleagues and the courts.

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motion to dismiss eviction florida: United States Code United States, 2013 The United States Code is the official codification of the general and permanent laws of the United States of America. The Code was first published in 1926, and a new edition of the code has been published every six years since 1934. The 2012 edition of the Code incorporates laws enacted through the One Hundred Twelfth Congress, Second Session, the last of which was signed by the President on January 15, 2013. It does not include laws of the One Hundred Thirteenth Congress, First Session, enacted between January 2, 2013, the date it convened, and January 15, 2013. By statutory authority this edition may be cited U.S.C. 2012 ed. As adopted in 1926, the Code established prima facie the general and permanent laws of the United States. The underlying statutes reprinted in the Code remained in effect and controlled over the Code in case of any discrepancy. In 1947, Congress began enacting individual titles of the Code into positive law. When a title is enacted into positive law, the underlying statutes are repealed and the title then becomes legal evidence of the law. Currently, 26 of the 51 titles in the Code have been so enacted. These are identified in the table of titles near the beginning of each volume. The Law Revision Counsel of the House of Representatives continues to prepare legislation pursuant to 2 U.S.C. 285b to enact the remainder of the Code, on a title-by-title basis, into positive law. The 2012 edition of the Code was prepared and published under the supervision of Ralph V. Seep, Law Revision Counsel. Grateful acknowledgment is made of the contributions by all who helped in this work, particularly the staffs of the Office of the Law Revision Counsel and the Government Printing Office--Preface.

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Warda Warda, 2005-08-01 Understanding your rights and responsibilities under Florida landlord/tenant law is essential to becoming a successful and profitable landlord in the state of Florida. A basic knowledge of the Florida law can help avoid becoming liable to tenants for damages and attorney's fees. Landlords' Right & Duties in Florida discusses issues including dealing with problems during a tenancy, protecting yourself from liability for injuries and crimes, and evicting a tenant. This guide provides easy-to-understand explanations of landlord/tenant law, as well as blank forms, flow charts, and examples from actual cases. Using this book can help save you money and avoid potential liabilities. -Screening Prospective Tenants -Protecting Yourself from Liabilities -Evicting a Tenant -Changing the Terms of a Tenancy -Making a Claim for Damages -Terminating a Tenancy, Early Ready-to-Use Forms with Instructions: Apartment Lease Rental Agreement Notice of Termination Back Check Notice Eviction Summons and many more... -Florida statutes -Eviction flowcharts -Step-by-step instructions -Ready-to-use, blank forms

motion to dismiss eviction florida: Chain of Title David Dayen, 2017-12-19 NOW IN PAPERBACK The gripping (New York Times) and Hitchcockian(Publishers Weekly) story of how a nurse, a car dealership worker, and a forensic expert took on the nation's largest banks A Kirkus Reviews and The Week best book of the year, David Dayen's Chain of Title is a riveting work that recalls A Civil Action, Erin Brockovich, and Flash Boys, recounting how three ordinary Floridians—a car dealership worker, a cancer nurse, and an insurance fraud specialist—helped uncover the largest consumer crime in American history, challenged the most powerful institutions in America, and—for a brief moment—brought the corrupt financial industry to its knees. Lisa Epstein, Michael Redman, and Lynn Szymoniak did not work in government or law enforcement. They had no history of anticorporate activism. Instead they were all foreclosure victims, and while struggling with their shame and isolation they committed a revolutionary act: closely reading their mortgage documents, discovering the deceit behind them, and building a movement to expose it. Harnessing the power of the Internet, they revealed how the financial crisis and subsequent recession were fundamentally based upon a series of frauds that kicked millions out of their homes because of false evidence by mortgage companies that had no legal right to foreclose. As Rolling Stone's Matt Taibbi noted: Chain of Title is a sweeping work of investigative journalism that traces the arc of a criminally underreported story in America, the collapse of the rule of law in the home mortgage industry.

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