

# Tenant Rights & Action Guide

## Uninhabitable Conditions, Illegal Conversions, and Legal Protection Rights

This reference document outlines the rights, legal remedies, and community support resources available for tenants living in substandard or hazardous rental units (such as unpermitted garage conversions with electrical overloads, severe structural floor hazards, and inadequate cooling).

### 1. Legal Rights & Statutory Violations

#### A. Failure to Maintain Structural Components (Missing Flooring)

Under Florida Statute § 83.51 (Landlord's obligation to maintain premises), the landlord is legally required to maintain structural components, floors, roofs, and windows in good repair to comply with all applicable building, housing, and health codes. Missing floor paneling that causes tripping hazards is a direct violation of habitability standards.

Source: [Florida Statute § 83.51](#)

#### B. Electrical Safety & Utility Failures

Under Florida Statute § 83.67 (Prohibited practices), landlords are prohibited from causing, directly or indirectly, the interruption of any utility service provided to the tenant, including water, heat, light, electricity, or refrigeration. Operating high-draw appliances (washer, dryer, and refrigerator) on a single overloaded breaker presents an active electrical fire hazard and violates local building and safety codes.

Source: [Florida Statute § 83.67](#)

#### C. Inadequate Air Conditioning & Cooling

While state law does not mandate air conditioning in every lease, if cooling amenities were provided at the time of tenancy or included in the agreement, the landlord is legally required to maintain them in working order. Installing an undersized or dysfunctional replacement unit that fails to maintain safe indoor temperatures during extreme heat violates implied habitability and lease terms.

#### D. Unpermitted Garage Conversion & Zoning Issues

Converting a residential garage into a dwelling unit without proper municipality permits, egress routes, and dedicated electrical sub-panels violates municipal building codes. Local code enforcement officers can issue official code violations, cite the property owner, or order corrective actions.

### 2. Step-by-Step Action Plan & Solutions

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**1. Document All Conditions:** Take photographs and videos showing the missing floor paneling, temperature readings indoors, and video evidence of the breaker tripping whenever the washer/dryer operates.

**2. Send a Formal 7-Day Written Notice:** Under Florida Statute § 83.56, tenants must serve the landlord a formal written notice specifying the defects and stating that if repairs are not made within 7 calendar days, the tenant may terminate the rental agreement or withhold rent.

**3. Request a Code Enforcement Inspection:** File an official complaint with Volusia County Code Enforcement or local city building inspectors. An official citation creates public documentation of statutory violations.

### **Protection Against Landlord Retaliation (Florida Statute § 83.64):**

It is unlawful for a landlord to retaliate by increasing rent, decreasing services, threatening eviction, or harassing tenants who have made a good-faith complaint to a government agency or exercised their statutory rights.

Source: [Florida Statute § 83.64](#)

### **3. Direct Community Resources & Links**

| Organization / Resource                        | Services Provided                                                                                                        | Contact & Source Links                                                                                                                                                                                                                                          |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Community Legal Services (CLS)</b>          | Free legal aid for eligible low-income tenants facing unsafe housing conditions, legal disputes, or landlord harassment. | Helpline: (800) 405-1417<br>Website: <a href="http://legalaccessforall.org">legalaccessforall.org</a><br>Contact Page: <a href="http://legalaccessforall.org/contact-us/">legalaccessforall.org/contact-us/</a>                                                 |
| <b>The Neighborhood Center of West Volusia</b> | Emergency housing assistance, transitional housing support, emergency shelter, and rehousing resources.                  | Phone: (386) 734-8120<br>Address: 434 S. Woodland Blvd, DeLand, FL<br>Website: <a href="http://neighborhoodcenterwv.org">neighborhoodcenterwv.org</a><br>Contact Page: <a href="http://neighborhoodcenterwv.org/contact/">neighborhoodcenterwv.org/contact/</a> |

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|---------------------------------------------|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>211 First Call for Help (United Way)</b> | 24/7 community referral line connecting individuals to local housing resources and shelter options.        | Phone: Dial 2-1-1 or (386) 253-0563<br>Directory Link: <a href="https://211live.org">211live.org</a>                     |
| <b>Volusia County Code Enforcement</b>      | Investigates unpermitted dwelling structures, dangerous electrical wiring, and structural code violations. | Phone: (386) 736-5925<br>Portal: <a href="https://volusia.org/code-enforcement">volusia.org/code-enforcement</a>         |
| <b>Florida Statutes Chapter 83</b>          | Official Florida Legislature statutes covering landlord and tenant obligations and remedies.               | Statutes Link: <a href="https://flsenate.gov/Laws/Statutes/2023/Chapter83">flsenate.gov/Laws/Statutes/2023/Chapter83</a> |