

## ADVISORY

The Florida Commission on Human Relations adopted a rule implementing registration for “55 and older” communities in 2001. Recent statutory changes to “Florida Fair Housing Act”, Chapter 760, Florida Statutes, require that “55 and older” communities claiming the familial status exemption register with the Florida Commission on Human Relations. The statutory changes became effective October 1, 2001; however, the Florida Commission on Human Relations has not established a deadline for filing the “55 and older” registration letters. This letter is being sent to provide you with the earliest possible opportunity to meet the new registration requirements.

The registration is to be renewed every two years on the first day of the month, and not longer than seven days after the two year anniversary of the initial registration. The Commission on Human Relations will post the registration information on its website, and make it available to the public.

Although failure to register does not preclude a facility from being qualified as “55 and older” housing, we strongly encourage communities to state their intention to maintain “55 and older” status by registering with the Florida Commission on Human Relations. Furthermore, there are indications that some counties will require proof of registration to qualify for any school impact fee exemption. However, communities with plans to convert to “all age” should not register with the Florida Commission on Human Relations.

The Florida Commission on Human Relations has implemented rules concerning the registration requirements. In order to comply with the new rules you must:

- (1) Qualify as a “55 and older” housing provider, meaning that at least 80% of the occupied units in the community are occupied by at least one person age 55 or older.
- (2) Send a registration and documentation letter to the Florida Commission on Human Relations. The letter must be sent on facility or community letterhead and must be sent via certified mail, return receipt requested. The words “REGISTRATION FOR HOUSING FOR OLDER PERSONS” must appear in bold letters on the face of the envelope, and the envelope must reflect the date of mailing.
- (3) Pay a registration fee of \$20.00 (if by check or money order, made payable to the Florida Commission on Human Relations). The \$20 registration fee is also due on each two year renewal.

The Florida Commission on Human Relations has developed specific language for use when registering as a 55 and older community under the statute. Attached is a form registration letter which can be copied onto community letterhead and used to meet the new registration requirements. Since the Commission’s rules provide specific language to be used in registering, the exact text of the attached form registration letter should be followed.

[COMMUNITY LETTERHEAD]

FCHR Executive Director  
Florida Commission on Human Relations  
325 John Knox Road, Suite 240  
Building F  
Tallahassee, Florida 32303-4109

Re: **Compliance Letter Under section 760.29(4)(b)3, Florida Statutes  
FCHR Executive Director Correspondence, Registration**

Dear FCHR Director:

Please acknowledge this registration by making it available to the public as well as placing this information on the Commission's website.

In addition, as President or Authorized Representative (as defined under 24 C.F.R. 100.308, the Federal Fair Housing Act) of the above-mentioned facility or community, I hereby state that the facility or community complies with the requirements of section 760.29(4)(b)3., Florida Statutes, as amended. Subsection 760.29(4)(b)3. provides in pertinent part that this facility or community is "housing for older persons" in that the housing is "intended and operated for occupancy by persons 55 years of age or older" and meets all requirements for such statutory exemption to Florida's Fair Housing Act, section 760.20, et seq., F.S. Such requirements include in summary: (a) The facility or community must have 80% occupancy by at least one person 55 years or more; (b) The facility or community must publish and adhere to policies and procedures that demonstrate the intent to be "housing for older persons;" and (c) The facility or community must comply with the rules made by the Secretary of the United States Department of Housing and Urban Development pursuant to 24 C.F.R. part 100 for verification of occupancy.

Thank you for your prompt assistance in this matter.

Sincerely,

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

SWORN and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, by \_\_\_\_\_, President or Authorized  
Representative of \_\_\_\_\_, who did take an oath and is either  
personally known to me or produced \_\_\_\_\_ as identification, ID Number \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
Print, Type or Stamp Name of Notary Public

[COMMUNITY LETTERHEAD]

Date \_\_\_\_\_

Mr. Jerald Quarterman, Fiscal Assistant  
Florida Commission on Human Relations  
P.O. Box 3388  
Tallahassee, Florida 32315

**Reference:**

Facility \_\_\_\_\_

Community or Association \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

Dear Mr. Quarterman:

The above facility is registered with the FCHR as an exempt facility under the Fair Housing Act. Please renew this registration upon the annual renewal date.

Enclosed is a \$20 renewal fee.

Sincerely,

\_\_\_\_\_  
President