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# Florida Commercial Landlord Tenant Law

Publication 80530 Release 22

April 2007

## HIGHLIGHTS

**Included in release 22 is extensive new commentary, updates, new forms and an updated index.**

**These and other chapters have been affected in this release:**

**Chapter 2** — Duties and Obligations of Landlord and Tenant

**Chapter 6** — Transitions

**Chapter 8** — Drafting a Commercial Lease

**Chapter 9** — Attorneys

*Food Lion, LLC v. Monument/Julington Assoc. Ltd. P'ship*, 939 So. 2d 1106 (Fla. 1st DCA 2006) — Whether a landlord's duty to maintain the premises has been breached is usually a jury question (Chapter 2).

*Peavey v. Reynolds*, 946 So. 2d 1125, 31

Fla. L. Weekly D 3143, 2006 Fla. App. LEXIS 20852 (Fla. 5th DCA, Dec. 15, 2006) — A lease agreement with a renewal option making it an unreasonable restraint on the alienation of property is void (Chapter 6).

*Stoltz v. Truitt*, 940 So. 2d 521 (Fla. 1st DCA 2006) — The inequitable forfeiture doctrine may protect a tenant who has substantially complied with the lease terms, but an increase in property value over the term of the lease is insufficient to mitigate forfeiture when the tenant has done nothing to bring about the increased value (Chapter 6).

New Section 2.02[6] regarding government lessors and *ad valorem* taxes discusses the circumstances under which a private entity leasing property from a government is liable for *ad valorem* on improvements to the property.

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