Harmful Residential Lease Terms Proposed

Key West's Interim City Attorney, at the Port Director's behest, is attempting to force draconian and likely illegal rental conditions on Key West residents and workforce living for years in City Marina at Garrison Bight. They refused to meet with or accept any input whatsoever from the concerned District Commissioner or impacted tenants. All the City's tenants, residents, and businesses should be concerned if Interim City Attorney Hardin and Port Director McAlearney get their way, as follows:

Paragraph (2): "Terminate(s)" lease and evicts liveaboard tenants who need to replace homes that become unsafe/unseaworthy, even with a similar size/type replacement.

Paragraph (13): Says they are not tenants and have no "tenancy". Removes all "rental" rights under "Florida (Landlord and Tenant) Law," enjoyed by all Key West and Florida tenants, including all Garrison Bight Liveaboard tenants.

Paragraph (14): "Unconditional right to revoke" lease and evict "without cause."

Paragraph (15): Allows immediate "revocation" and eviction for "any" minor infraction without opportunity for tenant to remedy the issue.

Paragraphs (18) & (19): Contrasts Florida Landlord and Tenant Law (Chapter 83 Section 47 Prohibited Provisions in Rental Agreements) by excusing Landlord from any responsibility for "injuries" caused by unsafe "condition(s)" of its own gross negligence.

Paragraph (24): Allows "changes" to lease "terms and conditions" at will, negating purpose of a written lease.

Paragraph (29): Tenants need to "remove vessel/floating home" from marina when hiring "services" for even remedial work (plumbing leak, faulty outlet, etc.).

Paragraph (31): Allows landlord to enter homes to "inspect…at all times." No notice required.

Paragraph (32): Allows relocations of tenants to other docks/slips without explanation.

Please contact our honorable Key West elected officials and let them know that this October 9th agenda item (#38, Exhibit "A" Lease) must be postponed until these egregious lease problems are further reviewed and addressed with fairness. Thank you.

Respectfully,

Joseph A. Miccio
Representative
Key West Liveaboard Association, AKA "The Sea Dogs"
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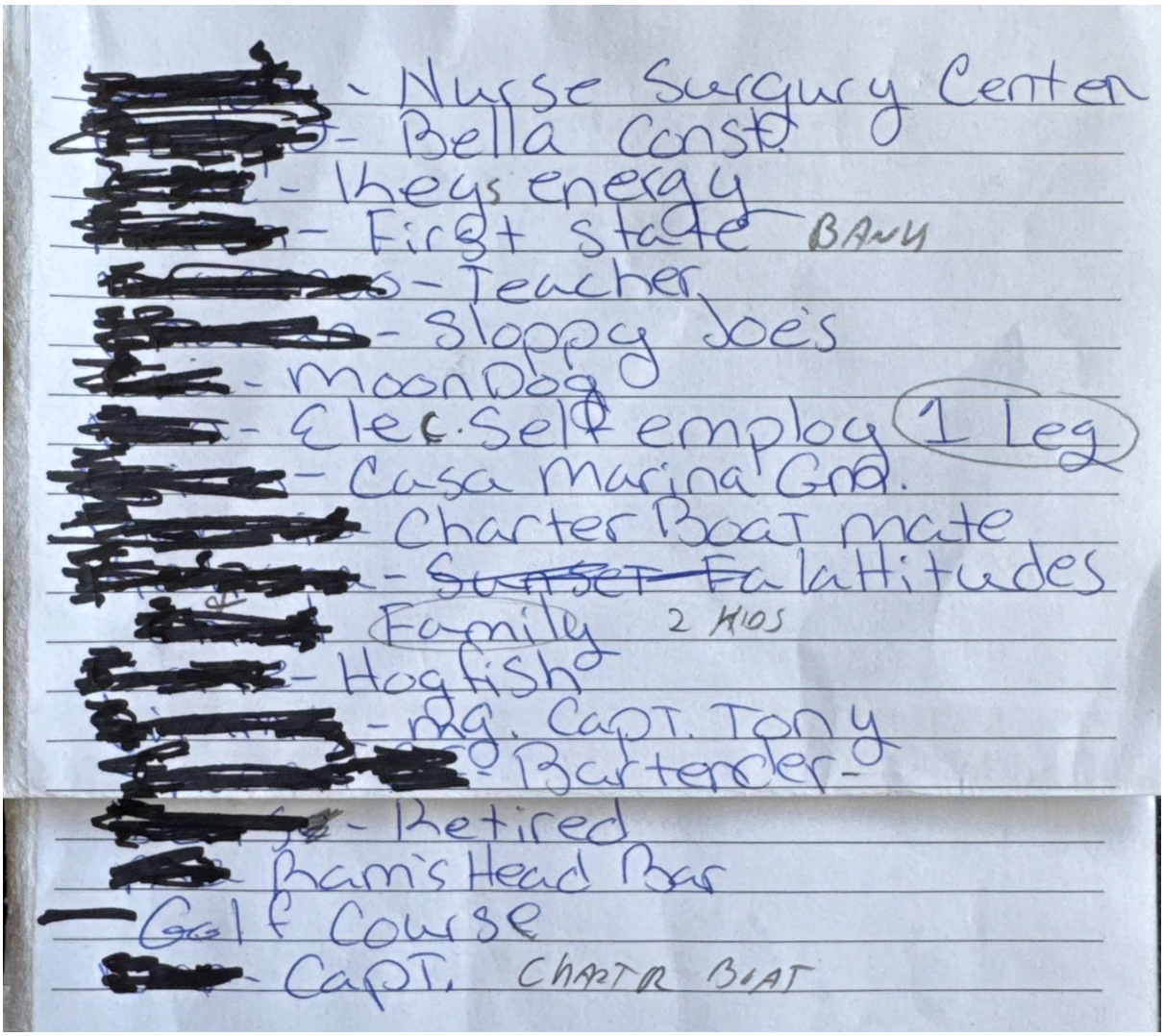
Liveaboard Vessel: Firefighter Mike Carlo
City Marina at Garrison Bight

PS—Small sampling below of impacted tenants and where they work:



Sampling of impacted residential tenants and where they work.