IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT

HILLSBOROUGH COUNTY, FLORIDA

CIVIL DIVISION

\_,

Plaintiff,

 CASE NO.:

vs. DIVISION C

\_,

Defendant(s).

**ORDER NOTIFIYING DEFENDANT/TENANT OF REQUIREMENT TO PAY RENT**

**INTO COURT REGISTRY PURSUANT TO § 83.232, FLORIDA STATUTES**

 THIS CASE came before the Court, *sua sponte,* on plaintiff’s complaint for possession of real property filed in this case. Pursuant to section 83.232(3), *Florida Statutes*, the Court hereby notifies the defendant/tenant (“Tenant”), as follows:

1. **Uncontested/Undisputed Unpaid Rent**. If Tenant does not contest or dispute the amount of accrued and unpaid rent alleged in plaintiff’s complaint, Tenant must pay into the registry of the court (“Court Registry”)
	1. the amount alleged in the complaint as unpaid rent **on or before the date on which Tenant's answer to the complaint for possession is due, AND**
	2. any rent accruing during the pendency of this case, when due, according to the parties’ lease.
2. **Contested/Disputed Unpaid Rent**. If Tenant contests or disputes the amount of accrued rent alleged in the complaint, Tenant shall file a verified motion to determine rent which sets forth facts to support a defense of payment or satisfaction of the rent in the amount the complaint alleges as unpaid (the “Verified Motion”). Tenant shall attach to the Verified Motion copies of any and all documentation in support of Tenant’s allegation that the rent as alleged in the complaint is in error. The Court thereafter will determine the amount of accrued rent due. Tenant must pay the amount of accrued rent determined by the Court to be due into the Court Registry on the day that the Court makes its determination.
3. **Rent Accruing During Pendency of Case**. Unless and until Tenant has timely filed a Verified Motion, Tenant shall pay into the Court Registry any rent accruing during the pendency of this case, when due, according to the parties’ lease. If Tenant contests the amount of accruing rent due, then Tenant shall pay into the Court Registry any undisputed amount of rent accruing during the pendency of this case, when due, according to the parties’ lease. **In all cases, the Tenant must deposit into the Court Registry any rent accruing during the pendency of the case.**
4. **Extension to Pay for Good Cause Shown**. The Court may extend the time periods described above and in section 83.232, *Florida Statutes*, to allow for later payment, upon good cause shown.
5. **Failure to Pay Rent Deemed Waiver of Defenses**. Tenant’s failure to pay the rent into the Court Registry pursuant to this order or an order on Tenant’s Verified Motion (determining the rent due) **shall be deemed an absolute waiver of Tenant's defenses,** and **plaintiff will be entitled to an immediate default for possession without further notice or hearing thereon**.

 DONE AND ORDERED: .

 ELIZABETH G. RICE

 Circuit Court Judge

*Conformed copies sent to: (MODIFY AS NECESSARY)*

Plaintiff/Counsel for Plaintiff

Defendant/Defendant’s Counsel