

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

IN RE: EMERGENCY MANAGEMENT
HURRICANE HELENE

DBPR EO 2024-09

EMERGENCY ORDER

WHEREAS, on September 23, 2024, the Governor of the State of Florida issued Executive Order 24-208, declaring a state of emergency for the state to prepare for and respond to the impact of Potential Tropical Cyclone 9, which became a named storm, Hurricane Helene, on September 25, 2024; and

WHEREAS, on September 24, 2024, the Governor of the State of Florida issued Executive Order 24-209, thereby amending, ratifying, and reaffirming Executive Order 24-208, to declare a state of emergency in the following 61 Counties: Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Dixie, Duval, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Holmes, Jackson, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Liberty, Madison, Manatee, Marion, Monroe, Nassau, Okaloosa, Okeechobee, Orange, Osceola, Pasco, Pinellas, Polk, Putnam, Santa Rosa, Sarasota, Seminole, St. Johns, Sumter, Suwannee, Taylor, Union, Volusia, Wakulla, Walton, and Washington; and

WHEREAS, on September 26, 2024, 64 of Florida's 67 Counties were under a watch or warning related to Hurricane Helene; and

WHEREAS, on September 26, 2024, Hurricane Helene made landfall on Florida's Gulf Coast as a major hurricane and caused significant damage across the state; and

WHEREAS, due to the damage wrought by Hurricane Helene, numerous Florida residents are currently and potentially indefinitely residing in public lodging establishments because their residences were rendered uninhabitable due to destruction or damage caused by Hurricane Helene; and

WHEREAS, the Department recognizes that certain ordinances, codes, and other types of local regulations contain provisions which would prohibit individuals whose residences were rendered uninhabitable due to destruction or damage caused by Hurricane Helene from residing in transient public lodging establishments for more than thirty days, would subject public lodging establishments to fines or other penalties for allowing these individuals to reside in a public lodging

establishment for more than thirty days, thereby incentivizing public lodging establishments to eject these individuals; and

WHEREAS, Section 4.B. of Executive Order 24-208 provides each state agency authority to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of the agency if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, the Department of Business and Professional Regulation's timely execution of disaster mitigation, response, and recovery functions of the State's emergency management plan, as it relates to Hurricane Helene, would be hindered by the application of certain provisions imposed by statute, order, or rule; and

WHEREAS, the Department filed Amended Emergency Order 2024-08 on September 29, 2024, which in part suspended and tolled various deadlines and geographic scope limitations, and waived fee provisions to mitigate the burdens associated with Hurricane Helene. Amended Emergency Order 2024-08 shall remain in effect.

NOW, THEREFORE, I, Melanie S. Griffin, Secretary of Florida's Department of Business and Professional Regulation, pursuant to the authority granted to me by Executive Order 24-208, as amended by Executive Order 24-209, find that timely execution of the mitigation, response, and recovery aspects of the State's emergency management plan, as it relates to Hurricane Helene, is negatively impacted by the application of certain regulatory statutes related to the Department, and order the following:

1. The provisions of section 509.013(4)(a), Florida Statutes, are suspended to the extent that a public lodging establishment may rent for any period of time, regardless of the public lodging establishment's classification as a transient public lodging establishment or a nontransient public lodging establishment, to individuals whose residences were rendered uninhabitable due to destruction or damage caused by Hurricane Helene. Accordingly, no public lodging establishment shall be subject to penalty by the Department, a county, a municipality, a governmental entity, a governmental authority, or the like, for exceeding the durational limitations within section 509.013(4)(a), Florida Statutes, during the pendency of this Emergency Order for rentals to individuals whose residences were rendered uninhabitable due to destruction or damage caused by Hurricane Helene.
2. The provisions of section 509.242(2), Florida Statutes, are suspended to the extent that an existing public lodging establishment shall not be required to obtain separate

licensure if, due to guest rental durations of individuals whose residences were rendered uninhabitable due to destruction or damage caused by Hurricane Helene, 25 percent or more of the units in the public lodging establishment fall within a classification that is different from the classification that the public lodging establishment is licensed, during the pendency of this Emergency Order.

This Emergency Order shall be effective during the timeframe beginning upon the execution of the Emergency Order and shall expire on November 22, 2024, or upon rescission of Executive Order 24-208, as modified or extended, or upon earlier order by the Department of Business and Professional Regulation.

DONE AND ORDERED in Tallahassee, Leon County, Florida this 3rd day of October 2024.

FLORIDA DEPARTMENT OF BUSINESS
AND PROFESSIONAL REGULATION



Melanie S. Griffin, Secretary
2601 Blair Stone Road
Tallahassee, Florida 32399

Filed on this date, with
The designated Agency Clerk,
Receipt of which is hereby
acknowledged.

Ronda L. Bryan

Agency Clerk's Office
Date: 10/3/2024