

**IN THE COUNTY COURT, FOURTH JUDICIAL CIRCUIT,
IN AND FOR DUVAL COUNTY, FLORIDA**

SECOND AMENDED ADMINISTRATIVE ORDER NO. 2024-02

IN RE: EVICITION DIVERSION PROGRAM

WHEREAS, this Administrative Order is amended to reflect changes to the Consent to Referral to Eviction Diversion Program (Attachment B) as specified in section 3 below;

WHEREAS, there has been a significant increase in eviction cases for nonpayment of rent;

WHEREAS, many of these eviction cases are filed against *pro se* tenants who are unfamiliar with the law, the complex procedures needed, and the availability of rental assistance funds through a new Eviction Diversion Program in Duval County;

WHEREAS, the Court, the Clerk of the Court in Duval County, the City of Jacksonville, Jewish Family and Community Services, the United Way of Northeast Florida, and Jacksonville Area Legal Aid, Inc., have worked together and agreed to the following procedure to reduce the number of evictions due to nonpayment of rent; and

WHEREAS, it would assist landlords and tenants, who are parties in these cases, to receive notice of the ability to seek rental assistance through the new Eviction Diversion Program.

NOW THEREFORE, by the authority vested in me as Chief Judge of the Fourth Judicial Circuit and pursuant to the Florida Rules of General Practice and Judicial Administration, it is

ORDERED:

1. Prior to or contemporaneously with filing a summons for eviction, Landlords will be given information about the Eviction Diversion Program. (Attachment A).

2. If the Landlord(s) consent, those Tenants who meet eligibility criteria may enter the Eviction Diversion Program.

3. If the Tenant is eligible, and the Landlord consents, the Eviction Diversion Program Coordinator shall file with the Court the Consent to Referral to Eviction Diversion Program that includes the Landlord's consent to a 30-day extension of the proceedings and a rental ledger listing all recent charges and payment to the Tenant's account, as well as the balance due. (Attachment B). The Landlord's participation in this program and receipt of rental assistance does not prevent the Landlord from filing a future eviction lawsuit against the Tenant in the event of a future lease violation.

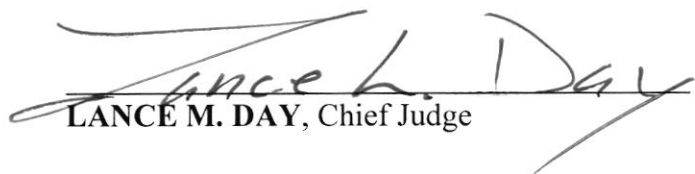
4. Once the Consent to Referral to Eviction Diversion Program is filed with the Duval County Clerk of the Court, the case shall be automatically stayed for 30 days.

5. After thirty (30) days, if the conditions of the Eviction Diversion Program have been satisfied, the Landlord will sign and provide the Eviction Diversion Program Coordinators with the Notice of Dismissal and Receipt of Eviction Diversion Program Funds, and the case will be dismissed. (Attachment C).

6. If after thirty (30) days, the conditions of the Eviction Diversion Program have not been satisfied, the eviction will proceed.

7. Second Amended Administrative Order No. 2024-02 shall be recorded by the Clerk of Court in the Official Records of Duval County, shall take effect immediately, and remain in full force and effect until otherwise ordered by the Court.

DONE in Chambers in Jacksonville, Duval County, Florida, on this 4th day of March 2024.


LANCE M. DAY, Chief Judge

Copies to:

All Judges in the Fourth Judicial Circuit
The Honorable Steven Whittington, Administrative Judge, Clay County
The Honorable Steven Fahlgren, Administrative Judge, Nassau County
All Magistrates in the Fourth Judicial Circuit
The Honorable Jody Phillips, Clerk of the Court, Duval County
Michael T. Fackler, Esq., General Counsel, City of Jacksonville
James A. Kowalski, Jr., President & CEO, Jacksonville Area Legal Aid
Colleen Lloyd Rodriguez, CEO, Jewish Family and Community Services
Melanie Patz, President & CEO, United Way of Northeast Florida
Eve Janocko, Trial Court Administrator
Claude T. Colvin, Chief Deputy Court Administrator
Cecilia F. Birk, Court Counsel
Mike Smith, Court Technology Officer
Judicial Staff Attorneys, Fourth Judicial Circuit
Fourth Circuit Court Law Library, Duval County
Christopher Douglas, Dep. Dir., Strategic Improvement, Clerk of the Court, Duval County
Jacksonville Bar Association
Laura Lentini, Assistant to Court Counsel

**NOTICE OF RENTAL ASSISTANCE
REGARDING EVICTIONS FOR RENT NONPAYMENT
EVICTION DIVERSION PROGRAM**

INFORMATION FOR THE LANDLORD:

The City of Jacksonville has set aside rental assistance funds for the benefit of landlords and tenants. Complete the attached “Consent to Referral to Eviction Diversion Program” and file it with the Clerk of Court as soon as possible.

INFORMATION FOR THE TENANT:

You can be evicted from your rental property as a result of the eviction lawsuit served on you that is attached to this notice. If you take no action, a judgment may be entered against you. Please refer to the summons for information on how to respond to the lawsuit.

You may qualify for rental assistance to avoid eviction. If you qualify, your case will be reviewed by a Coordinator in the Eviction Diversion Program, and your case may be referred to a lawyer who can assist you if there is a basis for assistance.

An eligible tenant must be:

- a U.S. Citizen or Legal Resident Alien;
- a resident of Duval County (including the Beaches and Town of Baldwin);
- delinquent on the payment of rent, certain utilities and/or home energy costs due on or after November 1, 2023, resulting in the potential for an eviction lawsuit in Duval County; and
- part of an eligible household with one or more persons who are obligated to pay rent on a residential dwelling in Duval County.

An eligible household must:

- include one or more persons who is a child under the age of 18 years or a senior citizen over the age of 65 years;
- have experienced a temporary reduction in household income, incurred significant costs, or experienced other financial hardship and can attest to such in writing.
- have income that is equal to or below the ALICE threshold based on household composition that is, for example, \$68,592.00 for a family of four (4); and
- demonstrate the ability to financially remain self-sufficient for six (6) months after funds have been disbursed to pay rent, utilities, and/or home energy costs.

Additional program requirements apply before rental assistance can be approved and/or paid.

Contact: You must act immediately to maintain your rental property. If you delay, your ability to qualify for rental assistance may be lost. To contact an Eviction Diversion Program Coordinator, email: evictioncoordinator@coj.net

ATTACHMENT B

IN THE COUNTY COURT OF THE
FOURTH JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO.:
DIVISION:

Plaintiff,

v.

Defendant.

_____ /

CONSENT TO REFERRAL TO EVICTION DIVERSION PROGRAM

COMES NOW, the Plaintiff/Landlord in this matter, and states as follows:

1. This eviction lawsuit **is** based on rent nonpayment.
2. I consent to a 30-day extension for Tenant to respond to this lawsuit, and I refer Tenant to a Coordinator in the Eviction Diversion Program who will evaluate whether Tenant is eligible for rental assistance.
3. Landlord's participation in this program and receipt of rental assistance does not prevent Landlord from filing a future eviction lawsuit against Tenant in the event of a future lease violation.
4. To assist the Coordinator to identify quickly whether Tenant is eligible for rental assistance through the Eviction Diversion Program, I have attached a rental ledger listing all recent charges and payments to Tenant's account, as well as the balance due.
5. To assist the Coordinator quickly identify whether Tenant is eligible for rental assistance through the Eviction Diversion Program, the Coordinator may contact Landlord or Landlord's agent or attorney (if different from the information below):

Landlord Contact Name:	Relationship to Landlord (if contact name different from plaintiff):
Landlord Phone:	Landlord Email: Landlord Address:
Landlord/Representative Signature:	Date Signed:

Tenant Name:	Tenant Phone:
Tenant Email:	

I have reviewed this form and approved its filing.

Eviction Coordinator Signature

Date

ATTACHMENT C

IN THE COUNTY COURT OF THE
FOURTH JUDICIAL CIRCUIT, IN AND FOR
DUVAL COUNTY, FLORIDA

CASE NO.:
DIVISION:

_____,
Plaintiff,

v.

_____,
Defendant.

_____ /

**NOTICE OF DISMISSAL AND
RECEIPT OF EVICTION DIVERSION PROGRAM FUNDS**

COMES NOW, Plaintiff/Landlord in this matter, and states as follows:

1. Defendant/Tenant qualified for rental assistance through the Eviction Diversion Program.
2. I have received the rental assistance and applied it to Defendant's/Tenant's account.
3. The rental assistance brought Defendant's/Tenant's account balance to zero through the end of _____, 20____ [refer to Rental Assistance Agreement and insert month/year].
4. Therefore, Plaintiff/Landlord hereby voluntarily dismisses with prejudice the Complaint filed against Defendant/Tenant.

CERTIFICATE OF SERVICE

I CERTIFY that a copy hereof has been furnished on _____, 20____ [insert date], to Defendant/Tenant by _____ [insert method of service].

Plaintiff/Landlord