

New Executive Orders Expand Quarantine Requirements for Visitors & Affect Vacation Rentals

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Lowndes
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On Friday, Governor Ron DeSantis executed Executive Order 20-86 and Executive Order 20-87. Executive Order 20-86 expands upon Executive Order 20-82, which was enacted by Governor DeSantis on March 25, by adding Louisiana to the list of areas with substantial community spread. The list previously included New York, New Jersey, and Connecticut.

The order directs all persons entering Florida, whether by roadways or otherwise, from an area with substantial community spread to isolate or quarantine for a period of 14 days from the time of entry into Florida or for the duration of the person's visit, whichever is shorter. Additionally, the order directs all persons traveling from areas with substantial community spread to inform any individual in Florida with whom they have had direct physical contact in the past 21 days that they traveled from such area.

Executive Order 20-87 requires vacation rental properties to temporarily suspend rental operations for the duration of the order. On April 10, 2020, Governor DeSantis signed Executive Order 20-103, which extended the duration of the original order through April 30, 2020. The order provides that parties are prohibited from making new reservations or bookings and may not accept new guests for the duration of the order.

A vacation rental is considered any unit in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but is not a timeshare project. The order also applies to any house, condominium, cooperative, or dwelling unit that is considered a transient public lodging establishment under Florida Statute 509.013(4)(a) and is rented for a period of less than 30 days.

The directive does not apply to:

- Hotels, motels, inns, resorts, non-transient public lodging establishments,

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- Time-share projects,
- Long-term rentals,
- Rentals to persons performing military, emergency, governmental, health, or infrastructure response, or
- Travelers engaged in non-vacation commercial activities.

Rental stays where guests are currently staying or checked-in no later than March 28, 2020, are not affected by the order. Violation of the order may result in revocation of vacation rental licenses by the Florida Department of Business and Professional Regulation or misdemeanor charges, among other penalties.

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