



NAGELE
SECURITY ADVISORS

Florida Statute § 768.0706

Multifamily Residential Property Safety & Security

Presumption Against Liability • HB 837 (March 2023) • Key Deadline January 1, 2025

APPLIES TO PROPERTIES OF 5 OR MORE DWELLING UNITS

WHAT IS IT?

Florida Statute § 768.0706 (HB 837, enacted March 2023, with a January 1, 2025 deadline for the assessment and training) provides owners and principal operators of qualifying multifamily residential properties with a **presumption against liability** for criminal acts committed by third parties on their premises.

Compliance is not mandatory – However, without it, the statutory shield does not apply, and the property owner faces **full litigation exposure**.

WHO DOES IT APPLY TO?

Any owner or principal operator of a multifamily residential property in Florida - defined as **five or more dwelling units on a single parcel**.

This includes apartments, townhouses, and condominiums.

THE THREE REQUIREMENTS FOR THE LIABILITY PRESUMPTION

REQUIREMENT 1	REQUIREMENT 2	REQUIREMENT 3
Physical Security Measures Seven specific physical security conditions must be substantially implemented on the property. See the full checklist below.	CPTED Assessment A CPTED assessment no more than 3 years old, performed by a law enforcement agency or a designated Florida CPTED Practitioner (FCP) . ✓ Nagele Security Advisors — FCP Credentialed	Employee Safety Training Crime deterrence and safety training for all applicable employees. New hires within 60 days of hire. Reviewed at least every 3 years and updated as necessary.

PHYSICAL SECURITY CHECKLIST — REQUIREMENT 1

☐ Security Camera System - Cameras at all entry/exit points. Must record and keep footage retrievable for at least 30 days.	☐ Peepholes / Door Viewers - Required on each dwelling unit door without a window or adjacent window.
☐ Parking Lot Lighting - Average of at least 1.8 foot-candles per sq. ft. at 18 inches above surface, dusk to dawn.	☐ Pool Gate - Locked gate with key or fob access along all pool fence areas.
☐ Walkway & Common Area Lighting - All walkways, laundry rooms, common areas, and porches, dusk to dawn.	☐ Locking Devices - On each window, each exterior sliding door, and other doors not used for community purposes.
☐ Deadbolts - At least a 1-inch deadbolt on each dwelling unit door.	

NON-COMPLIANCE = NO STATUTORY PROTECTION

Without these measures substantially implemented, the liability presumption is not available. In a negligent security lawsuit, the owner or principal operator carries the burden of proving **substantial implementation**.

Real Florida negligent security verdicts and settlements involving multifamily properties have reached \$12 million, \$16 million, and \$28.9 million. Source: *The Haggard Law Firm* **The cost of compliance is almost always far less than the cost of one lawsuit.**

HOW NAGELE SECURITY ADVISORS CAN HELP

- ▶ **Employee Crime Deterrence & Safety Training:** On-site training satisfying Requirement 3 - familiarizing employees with the security principles, devices, measures, and standards required under the statute. Certificate of Completion issued to each employee.
- ▶ **CPTED Assessment & Written Report:** Formal CPTED assessment required under Requirement 2, conducted directly by Robin C. Nagele, M.A., FCP - a designated Florida CPTED Practitioner credentialed by FCPTI. Written report with implementation recommendations.
- ▶ **Physical Security Gap Analysis:** Systematic audit of all seven physical security measures against the statutory minimums. Prioritized remediation plan with specifications for vendor procurement and contractor guidance.

Nagele Security Advisors, LLC • Robin C. Nagele, M.A., FCP • Principal & Founder • SDVOSB • CAGE: 1ALB8

IAPSC Member • (727) 307-4757 • Robin@NageleSecurityAdvisors.com • NageleSecurityAdvisors.com

Security Expert • Forensic Consultant • Expert Witness • Trusted Advisor