

# *Submerged Land Lease Fees*

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Last summer, the Florida Department of Environmental Protection (FDEP) attempted to increase submerged land lease fees for activities conducted on state sovereign lands that include docking facilities for yacht clubs, marinas, private single and multi-family residences, etc. The FDEP called it “fee simplification.” Their attempt to increase rates by 350% led to a virtual revolution as property owners statewide raised their voices in protest. A grass roots coalition called “Florida Homeowners for Fair Treatment”(FHFT) launched a statewide campaign that successfully defeated the potential increase. During the course of the campaign, FHFT discovered:

- The original intent of the submerged land lease fee was for commercial, revenue-generating, profit making entities.
- Both single and multi-family residences already pay high taxes on their docking facilities. The DEP claims ownership of the lands and collects fees (tax) on same docking facilities meaning that the property owner is taxed twice for the same parcel.
- The DEP has created the 10:1 rule which exempts single family residences from these fees and put the burden on all multi-family residences.
- Waterfront condos now pay a 6% tax when the residence is sold based on the value of the slip. The DEP views the sale of one's residence as income generated.
- Multi-family homes are private, non-profit residences that are being charged the same rate as commercial properties.
- Single family residences on state lands do not pay lease fees, can rent their slips without reporting income and can sell their residence without having to pay the 6% tax on their docking facility.

The DEP is currently working on a bill for the 2010 legislative session that, if passed, could increase submerged land lease fees for multi-family residences in excess of 425%. To find out more about this potential increase and to find out how to make your objections known, contact Terri Pentek of the FHFT at 727-864-9640, [Priority38@aol.com](mailto:Priority38@aol.com) or visit their website, [www.fhft.org](http://www.fhft.org). The time to act is now.