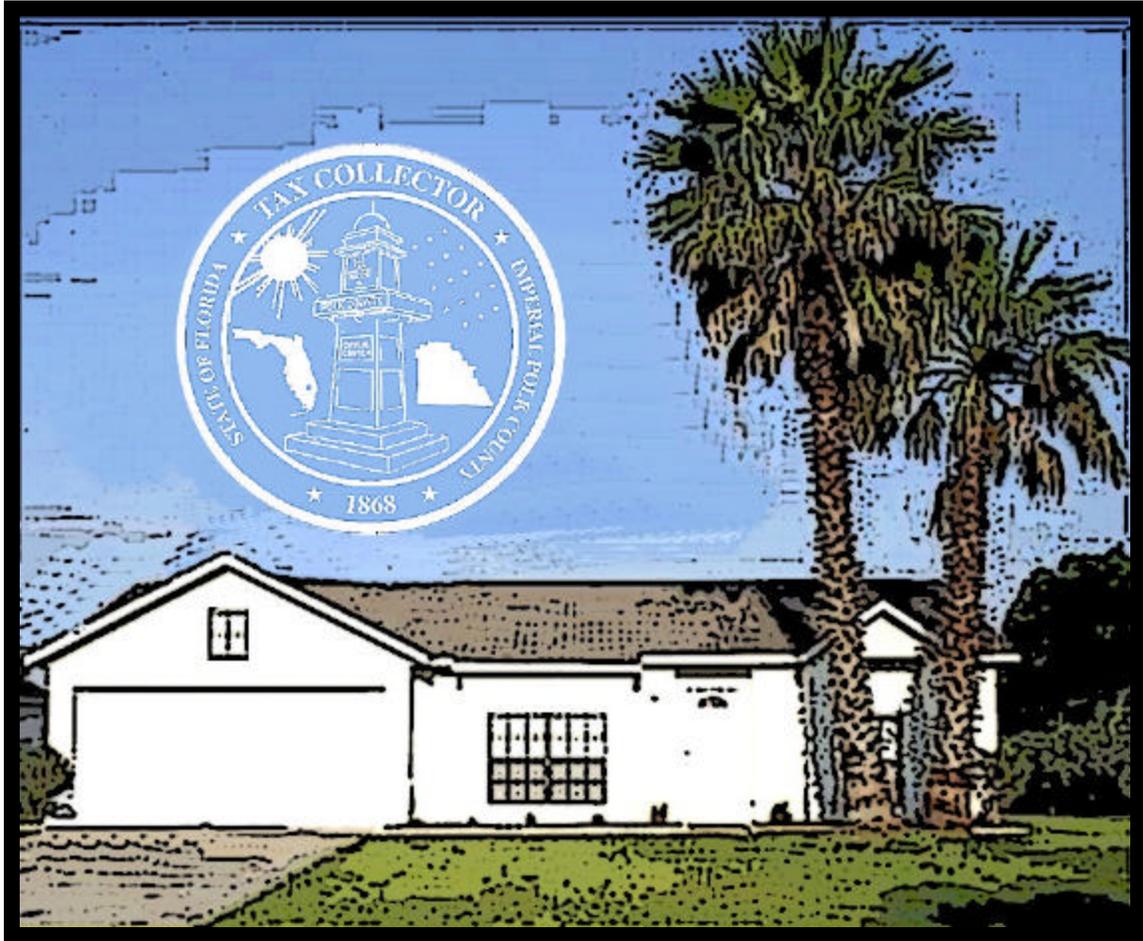




# Central Florida

## Vacation Rental Homeowner's Tax Guide

*Don't lose your investment through non-payment of taxes!*



Published by the Tourist Development Tax Academy

**OFFICE OF JOE G. TEDDER, CFC**

Tax Collector for Polk County, Florida

[www.PolkTaxes.com](http://www.PolkTaxes.com)



*This document was produced in association with the  
Central Florida Property Managers Association.*



# TOURIST DEVELOPMENT TAX ACADEMY

## Vacation Rental Homeowner's Tax Guide

### TABLE OF CONTENTS

	Page
<b>I. Introduction by Joe G. Tedder, Tax Collector for Polk County, Florida</b>	1
<b>II. How I will manage my vacation rental home?</b>	
A. Hiring a management company	2
B. Self-managing	4
C. Using a management company and self-managing	4
<b>III. Managing vacation rental home taxes</b>	
A. Real Estate Property Taxes	5
B. Tangible Personal Property Taxes	8
C. State Resort Dwelling License	9
D. Local Business Taxes	10
E. State Sales Taxes	11
F. Tourist Development Taxes	12
G. Federal Income Taxes	14
<b>IV. Managing vacation rental homes in neighborhoods</b>	
A. County and municipal codes	15
B. Law enforcement	16
C. Fire and emergency management services	17
D. Utilities	19
E. Waste management	20
F. Deed restrictions and homeowners associations	21
<b>V. Managing customer and business opportunities</b>	
A. Tourism and sports marketing	22
B. Economic development	23



**Joe G. Tedder, CFC, Tax Collector**  
Imperial Polk County & The State of Florida

**Dear Vacation Rental Homeowners & Property Managers,**

This booklet was designed to help the vacation rental homeowner, who rents or leases in the “Four Corners” area of Central Florida, better understand of tax compliance issues that affect their rental home.

We want to thank those Property Managers, including the members of the Central Florida Property Managers Association, who worked with our Task Force in identifying the need for this tax guide.

We recognize that the vacation rental home industry is an important element of Polk County’s economic engine and observe, through our work, the many contributions this industry makes to our county’s growth.

It is for this reason that the Tourist Development Academy (TDA) was formed. The TDA seeks to provide those who rent or lease short-term rental accommodation in Polk County, year-round educational programs regarding compliance with all the various laws, regulations and rules governing their industry.

I want to personally thank our vacation homeowners for making an investment and conducting your rental business in Polk County.

Please know that our office looks forward to working closely with you and welcome any feedback that you may have to streamline your remittances to our office.

Sincerely,

**JOE G. TEDDER, CFC**  
Tax Collector for Polk County, Florida



**Choosing a management company means placing your trust in someone else to manage your vacation rental home.**

**When you manage your own vacation rental home you trust your own knowledge, skills and judgment.**

## **II. How will I manage my vacation rental home?**

### **A. Hiring a management company**

Most vacation rental homeowners choose to hire a local property management company to generate visitor bookings, comply with government regulations and tax obligations, as well as take care of residential maintenance needs. These vacation homeowners understand that there are numerous government requirements and business challenges involved in operating a Florida vacation rental home.

Vacation homeowners may select from reputable property management companies operating in the Central Florida area; however, as with any investment or business activity, it is wise to research those in the property management business before selecting a company.

***It is important to know that it is the vacation homeowner, not the management company, which is held responsible for unlawful rental activities or tax liabilities.***

#### **Things to look for in hiring a management company:**

- If they operate in Polk County, do they have the Tax Collector's current Seal of Compliance?
- Do they make sure the real estate property taxes are paid?
- Do they make sure a tangible personal property tax return has been filed and insure that those taxes been paid?
- Do they operate their rental properties with the appropriate state resort dwelling license?
- Do they obtain the applicable local business tax receipts (previously referred to as occupational licenses)?
- Do they timely file and remit state sales taxes and local tourist development taxes?
- Do they operate within applicable local government codes?
- Do they make sure your Federal income statements are correct?
- Do they make sure community and neighborhood association dues are kept current?
- Do they belong to an industry organization, chamber of commerce group, or a better business bureau?
- Are their rental bookings competitive?

**The Tourist Development Academy**

The Tourist Development Academy is an education arm of The Polk County Tax Collector's Office.



The Academy consists of a tri-annual series of informational programs, focusing on current regulatory and compliance issues that most affect the short term rental business.

The mission of the Tourist Development Academy is to advise, educate and inform business partners who provide accommodations to the visitors of Polk County

The goal of the Polk County Tax Collector's Office Tourist Development Academy is to improve collections through better compliance.

For more information on the Tourist Development Academy, including the latest event news, bulletins, etc., visit [www.PolkTaxes.com](http://www.PolkTaxes.com) online.

**The Seal of Compliance**

The Polk County Tax Collector's Office has developed a Seal of Compliance program.



The Seal of Compliance is a designation earned by property management companies that represent one or more tourist development tax accounts on file with the Tax Collector's Office.

These property management firms have met or exceeded the industry specific criteria established relating to local tax compliance. Participation in the program is voluntary.

To review the criteria needed to obtain the Seal of see a listing management companies that have earned the designation, visit [www.PolkTaxes.com](http://www.PolkTaxes.com) online.

**The Central Florida Property Manager's Association, Inc.**

The Central Florida Property Managers Association is a local vacation rental home manager organization established to promote the industry. The Association has established a code of ethics and offers various benefits to its membership. For more information on the Association, visit [www.cfpma.org](http://www.cfpma.org) online.

**"Four Corners" Area Chamber of Commerce Groups**

Greater Haines City Chamber of Commerce • visit [www.haiescity.com](http://www.haiescity.com) online.

Four Corners Council Area Council, is an organization of the Kissimmee/Osceola Chamber of Commerce • visit [www.kissimmeechamber.com/four-corners.asp](http://www.kissimmeechamber.com/four-corners.asp) online.

South Lake (County) Chamber of Commerce • visit [www.southlakechamber-fl.com](http://www.southlakechamber-fl.com) online.

**Better Business Bureaus**

Better Business Bureau of Central Florida, Inc. • visit [www.orlando.bbb.org](http://www.orlando.bbb.org) online.

## B. Self-managing

A few vacation rental homeowners choose to look after their own affairs.

These individuals book their own rentals, handle residential maintenance issues, pay their own homeowner's association dues, obtain the proper business licenses and pay all the taxes due, etc.

**Recent data indicates self-managers are now more likely to fall behind in the reporting and remittance of tourist development tax dollars.**

Because of the numerous challenges involved in the vacation home rental business, self-managers can often become overwhelmed.

Self-managers are encouraged to become familiar with all the information provided in this guide.

### RESOURCES: SELF-MANAGEING

Please refer to the resources listed in the following sections.

## C. Using a management company and self-managing

Because self-management can be extremely challenging, a growing trend in the vacation home rental industry are owners who choose to self-manage a portion of their rental business and have a management company handle the remainder of their affairs.

This hybrid form of management can take many forms.

### Here are some examples:

- Owner does rental bookings and pays taxes and expenses; management company only handles maintenance issues.
- Both owner and management company do rental bookings and pay taxes and expenses; owner handles maintenance issues.
- Both owner and management company do rental bookings and pay taxes and expenses; management company also handles maintenance issues.

### RESOURCES: USING A MANAGEMENT COMPANY AND SELF-MANAGING

Please refer to the resources listed in the following sections.



**Managing your vacation rental home within the law is important.**

**Mistakes or avoiding compliance can prove costly and may even lead to the loss of your vacation home!**

**Failure to comply with certain laws can lead to criminal prosecution and jail time.**

### **III. Managing vacation home rental taxes**

*Taxes that affect vacation rental homes:*

- *Real estate property taxes (due once per year)*
- *Tangible personal property taxes (due once per year)*
- *State resort dwelling license (due once per year)*
- *Local business tax (due once per year)*
- *State sales tax (due monthly)*
- *Tourist development tax (due monthly)*
- *Federal income tax (due once a year or quarterly)*

#### **A. Real Estate Property Taxes**

The term real estate tax is a common reference to a tax on real property. For vacation homeowners real property refers to land, dwelling, fixtures, and all other improvements to the land.

Real estate taxes consist of ad valorem taxes, which are based upon the assessed value of real property, and non-ad valorem assessments, which are levies based on the cost of providing a service such as fire protection and garbage collection.

Ad valorem assessments are made each January 1st. The ad valorem tax roll is certified to the Tax Collector by the Property Appraiser, who determines the assessed value of property.

The Board of County Commissioners, School Board, municipalities, and other ad valorem taxing bodies set the millage rates for properties within their boundaries. The millage rate is the dollar amount to be paid in taxes for every \$1,000 of appraised valuation. A mill is equal to 1 tenth of 1 percent.

Non-ad valorem assessment rolls are certified to the Tax Collector by local governing boards or non-ad valorem assessing authorities, such as the Solid Waste Authority, fire districts and water control districts.

The Tax Collector consolidates the certified ad valorem and non-ad valorem tax rolls and mails tax notices to property owners. Ad valorem and non-ad valorem assessments are due beginning November 1st or soon after the tax roll is certified. Tax notices are mailed October 31st based on current addresses maintained by the Property Appraiser's Office.

Regardless of whether a tax notice is received Florida law makes taxpayers responsible for knowing that their property taxes are due each year. If you do not receive a real estate tax notice by November 15<sup>th</sup> contact the Tax Collector's Office.

Ad valorem and non-ad valorem assessments become delinquent on April 1st.

### ***What happens when real estate taxes are not paid?***

***Answer:*** A Tax Certificate is sold.

The tax certificate is a lien on property created by payment of the delinquent taxes due. It is not a purchase of property.

Florida statutes require the Tax Collector to conduct a sale of tax certificates beginning on or before June 1<sup>st</sup> for the preceding year's delinquent real estate taxes. The amount of the certificate is the sum of the unpaid real estate tax and the non-ad valorem assessment, including 3% interest for April and May, and 5% Tax Collector's commission and advertising costs.

Bidding on the certificates starts at 18% interest and is bid down until the certificate is sold. Interest is paid at the rate of the winning bid. When a tax certificate is redeemed and the interest earned on the face amount is less than 5%, a mandatory charge of 5% interest is due. The person redeeming the tax certificate pays the interest rate bid or the mandatory charge, whichever is greater.

Tax certificates are dated as of the 1<sup>st</sup> day of the tax certificate sale and expire after 7 years. Any tax certificate can be canceled or reduced if errors, omissions, or double assessments are made. If a tax certificate is canceled or reduced, the interest earned on the canceled or reduced amount is 8%.

### ***Failure to pay could result in the loss of your property...***

The holder of a tax certificate may apply for a tax deed when 2 years or more have elapsed since April 1<sup>st</sup> of the year the certificate was issued.

Note: A tax certificate is held for a minimum of two years and a maximum of seven years. At any time between the second and seventh year, the certificate holder may request the sale of the property to satisfy the certificate. The property is placed up for bid and auctioned.

Application for a tax deed is made to the Tax Collector's Office. The Application allows the property to be sold at public auction. However, the owner may retain the property by paying the taxes any time before the tax deed is issued.

Tax deed sales are coordinated by the Clerk of the Court's Office and conducted on the courthouse steps.

***What you need to do...***

- Make sure your real estate property deed is correctly recorded with the Clerk of the Court.
- To make sure you or your property manager get your tax assessment and tax notice mailings, make sure your correct mailing address, or the correct mailing address of your management company, is on file with the Property Appraiser's Office.
- Make sure that you or your property manager receives a property tax notice no later than November 15<sup>th</sup>.
- Pay your real estate property taxes on time.

**RESOURCES: REAL ESTATE PROPERTY TAXES**

**POLK COUNTY**

**Polk County Tax Collector's Office • Property Tax Department**

Mailing Address: PO Box 1189, Bartow, FL 33831-1189  
Telephone: 863-534-4721  
Email Address: Taxes@PolkTaxes.com  
Web Address: www.PolkTaxes.com

**Polk County Property Appraiser's Office**

Mailing Address: 255 N Wilson Ave, Bartow FL 33830  
Telephone: 863-534-4777  
Email Address: paoffice@polk-county.net  
Web Address: www.polkpa.org

**Polk County Clerk of the Courts' Office**

Mailing Address: 255 N Broadway Ave, Bartow FL 33830  
Telephone: 863-534-4540  
Web Address: www.polkcountyclerk.net

**LAKE COUNTY**

**Lake County Tax Collector's Office**

Mailing Address: PO Box 327, Tavares, FL 32778  
Telephone: 352-343-9740  
Web Address: www.laketax.com

**Lake County Property Appraiser's Office**

Mailing Address: PO Box 1027, Tavares, FL 32778-1027  
Telephone: 352-343-9748  
Web Address: www.lcpafl.org

**Lake County Clerk of the Courts' Office**

Mailing Address: PO Box 7800, Tavares, FL 32778  
Telephone: 352-742-4100  
Web Address: www.lakecountyclerk.org

## ORANGE COUNTY

### Orange County Tax Collector's Office

Mailing Address: PO Box 2551, Orlando, FL 32802  
Telephone: 407-836-2700  
Web Address: [www.octaxcol.com](http://www.octaxcol.com)

### Orange County Property Appraiser's Office

Mailing Address: 200 S Orange Ave, Suite 1700, Orlando, FL 32801  
Telephone: 407-836-5044  
Web Address: [www.ocpafl.org](http://www.ocpafl.org)

### Orange County Clerk of the Courts' Office

Mailing Address: PO Box 4994, Orlando, FL 32801  
Telephone: 407-836-2000  
Web Address: [www.orangeclerk.onetgov.net](http://www.orangeclerk.onetgov.net)

## OSCEOLA COUNTY

### Osceola County Tax Collector's Office

Mailing Address: 2501 E Irlo Bronson Memorial Hwy, Kissimmee, FL 34744  
Telephone: 407-742-4000  
Web Address: [www.osceolataxcollector.org](http://www.osceolataxcollector.org)

### Osceola County Property Appraiser's Office

Mailing Address: 2505 E Irlo Bronson Memorial Hwy, Kissimmee, FL 34744  
Telephone: 407-343-3700  
Web Address: [www.property-appraiser.org](http://www.property-appraiser.org)

### Osceola County Clerk of the Courts' Office

Mailing Address: 2 Courthouse Square, Suite 2000, Kissimmee, FL 34741  
Telephone: 407-343-3500  
Web Address: [www.osceolaclerk.com](http://www.osceolaclerk.com)

## B. Tangible Personal Property Taxes

With regard to vacation home rentals, the term tangible personal property taxes refers to ad valorem taxes on the assessed value of furniture, fixtures, and equipment located in the business rental dwelling. As with any other business, the owner is required to file a Tangible Personal Property Tax Return **EACH YEAR** by April 1st. A Tangible Personal Property Tax Exemption is available for tangible property that is valued less than \$25,000. However, the property owner is required to file a Tangible Personal Property Tax Return to qualify for the exemption. The Tangible Personal Property Tax Return must be mailed to the Property Appraiser of the county in which the furnished rental unit is located.

Just like ad valorem real estate taxes, ad valorem taxes on tangible personal property are levied annually and assessments are made each January 1<sup>st</sup>. The ad valorem tax roll is also certified to the Tax Collector by the Property Appraiser, who determines the assessed value of property.

The Board of County Commissioners, School Board, municipalities, and other ad valorem taxing bodies set the millage rates for such property within their boundaries. The millage rate is the dollar amount to be paid in taxes for every \$1,000 of appraised valuation. A mill is equal to 1 tenth of 1 percent.

***What happens when tangible personal property taxes are not paid?***

***Answer:*** A tax warrant is issued.

Unpaid Tangible Personal Property taxes become delinquent on April 1st of the next year. Tax warrants are issued in May on all unpaid tangible personal property taxes.

***Failure to pay could result in the loss of your property...***

Within 30 days of the issue of the warrant, the Tax Collector may apply to the Circuit Court for an order directing levy and seizure of the property for the amount of unpaid taxes and costs.

***What you need to do...***

- To make sure you or your property manager get your tax assessment and tax notice mailings, make sure your correct mailing address, or the correct mailing address of your management company, is on file with the Property Appraiser's Office.
- Make sure that you or your property manager receives a property tax notice no later than November 15<sup>th</sup>.
- Pay your tangible personal property taxes on time.

**RESOURCES: TANGIBLE PERSONAL PROPERTY TAXES**

Please refer to the resources listed in the previous Real Estate Property Taxes Section.

## **C. State Resort Dwelling License**

Prior to engaging in regular vacation home rentals, the rental property must have a resort dwelling license from the Florida Department of Business and Professional Regulation, Division of Hotels & Restaurants.

A resort dwelling is any individually or collectively owned one-family, two-family, three-family, or four family dwelling house or dwelling unit which is rented more than three times in a calendar year for periods of less than 30 days or one calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented for periods of less than 30 days or one calendar month, whichever is less.

Florida Department of Business and Professional Regulation, Division of Hotels & Restaurants inspects the dwelling prior to issuing the state license and conducts period inspection thereafter.

***What happens when if a dwelling rental license is not obtained?***

***Answer:*** The vacation homeowner is subject to a criminal penalty of up to 60 days in jail, including a \$500 fine.

**FLORIDA DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION**

**Division of Hotels & Restaurants**

Mailing Address: 1940 North Monroe St., Tallahassee, FL 32399  
Telephone: 850-487-1395  
Web Address: [www.myflorida.com/dbpr/](http://www.myflorida.com/dbpr/)

**DISTRICT III OFFICE (TAMPA REGION)**

***Serving Polk County***

Mailing Address: 3725 W Grace St, Bromley Bldg, Suite 520, Tampa, FL 36607-4822

**DISTRICT IV OFFICE (ORLANDO REGION)**

***Serving Lake, Orange and Osceola Counties***

Mailing Address: 400 W Robinson St, Suite 802, Hurston Bldg, North Tower, Orlando, FL 32801-1757

## D. Local Business Taxes

The annual payment of a local business tax is often required for the privilege of doing business in a Florida county and/or municipality. Payment is required prior to engaging in any rental activity. Upon payment, a local business tax receipt is issued and should be appropriately displayed at the dwelling location.

**Previously the local business tax receipt was referred to as a local occupational license.**

Local business tax requirements and payment amounts may significantly vary, depending on the governing county and, when applicable, municipality. For example, each vacation rental dwelling in Polk County, Florida is required to have a local business tax receipt, while similar rental dwellings in other counties or municipalities may not be required to have a local business tax receipt or only their management company has a local business tax receipt.

**If a rental dwelling is located within a municipality's jurisdiction, both a county and municipal local business tax receipt may be required.**

When counties require the payment of local business taxes, the Tax Collector administers the tax program and collects the taxes due. When a municipality requires payment of local business taxes, it may identify one of its departments or an agency to administer local business tax collections.

In any case, the vacation home owner or their property manager should contact the Tax Collector, and, when applicable, the municipality, to find out their local business tax requirements.

Prior to obtaining a local business tax receipt, proof of a vacation rental dwelling license from the Florida Department of Business and Professional Regulation, Division of Hotels & Restaurants is required. In some cases, local governing authorities may also require proof of compliance in areas such as zoning and fire prevention regulations.

## ***What happens when a local business tax receipt is not obtained?***

**Answer:** The penalties also vary by local government jurisdiction. In some counties and municipalities, the vacation homeowner may be subject to a criminal penalty of up to 60 days in jail, including a \$500 fine. In the remaining counties and municipalities other criminal penalties, civil actions, delinquent regulatory costs and/or code enforcement proceedings may be applied, resulting in significant costs to the vacation homeowner.

### **RESOURCES: LOCAL BUSINESS TAXES**

#### **POLK COUNTY**

##### **Polk County Tax Collector's Office • Economic Development Support Services**

Mailing Address: PO Box 2016, Bartow, FL 33831-2016  
Telephone: 863-534-4731  
Email Address: EconomicDevelopment@PolkTaxes.com  
Web Address: www.PolkTaxes.com

Note: If your business and/or rental properties are operating within a municipality of Polk County, contact the municipal government to determine local business tax requirements.

#### **LAKE COUNTY**

##### **Lake County Tax Collector's Office**

Mailing Address: PO Box 327, Tavares, FL 32778  
Telephone: 352-343-9740  
Web Address: www.laketax.com

Note: If your business and/or rental properties are operating within a municipality located inside Lake County, contact your municipal government to find out if they also have a local business tax requirement.

#### **ORANGE COUNTY**

##### **Orange County Tax Collector's Office**

Mailing Address: PO Box 2551, Orlando, FL 32802  
Telephone: 407-836-2700  
Web Address: www.octaxcol.com

Note: If your business and/or rental properties are operating within a municipality located inside Orange County, contact your municipal government to find out if they also have a local business tax requirement.

#### **OSCEOLA COUNTY**

##### **Osceola County Tax Collector's Office**

Mailing Address: 2501 E Irlo Bronson Memorial Hwy, Kissimmee, FL 34744  
Telephone: 407-742-4000  
Web Address: www.osceolataxcollector.org

Note: If your business and/or rental properties are operating within a municipality located inside Osceola County, contact your municipal government to find out if they also have a local business tax requirement.

## **E. State Sales Taxes**

Florida sales tax applies to the rental or lease of a vacation rental dwelling. The sales tax is added to the price of the vacation home rental and is collected from the purchaser at the time of sale.

***Florida's general sales tax rate is 6 percent.***

Prior to engaging in the vacation home rental business, the vacation homeowner must be registered as a sales tax dealer with the Florida Department of Revenue. Additionally, the property manager must be registered as a sales tax dealer with the Florida Department of Revenue.

### ***Additional sales tax rates...***

Many, but not all, Florida counties also impose a discretionary sales surtax, sometimes referred to as a county tax. The discretionary sales surtax is a county-imposed tax and varies from county to county. Sales tax dealers must collect the applicable county discretionary sales surtax along with the 6 percent state sales tax and remit both taxes to the Florida Department of Revenue.

Note: County discretionary sales surtax rates are available from the Department of Revenue.

### ***What happens when sales taxes are not paid?***

**Answer:** A failure to file a return and remit sales taxes on a timely basis will result in the vacation home owner being liable for 100% of the actual tax amount due, plus penalties and interest. In the case of a false or fraudulent return or a willful attempt to evade payment of the sales taxes due, the vacation homeowner and/or property manager shall be subject to a criminal penalty of up to one year in jail and be liable for a specific penalty of Two Hundred Percent (200%) of the tax bill.

## **RESOURCES: STATE SALES TAX**

### **FLORIDA DEPARTMENT OF REVENUE**

#### **General Tax Administration, Taxpayer Services**

Mailing Address: 1379 Blountstown Hwy, Tallahassee, FL 32304-2716  
Telephone: Toll Free 800-352-3671 or 850-488-6800  
Web Address: [www.myflorida.com/dor/](http://www.myflorida.com/dor/)

#### **LAKELAND SERVICE CENTER**

Mailing Address: 115 S. Missouri Ave., Suite 202, Lakeland, FL 33815-4601  
Telephone: 863-499-2260

#### **MAITLAND SERVICE CENTER**

Mailing Address: 2301 Maitland Center Pkwy Maitland 200 Bldg, suite 200, Maitland, FL 32751  
Telephone: 407-475-1200

## **F. Tourist Development Taxes**

Vacation rental home owners are also responsible for paying tourist development taxes. Tourist development taxes are also known as a “resort taxes” or “bed taxes.” The tourist development tax is a tax on the total rental amount received from the purchaser of a rental accommodation for a period of six (6) months or

less. Basically, the tourist development tax is an “add on” sales tax that is derived from the same laws governing state sales taxes.

Like the discretionary state sales surtax or “county sales tax,” many, but not all, Florida counties have adopted a tourist development tax and, as such, these tax rates vary from county to county.

TOURIST DEVELOPMENT TAX RATES	
POLK COUNTY	5%
ORANGE COUNTY	5%
LAKE COUNTY	4%
OSCEOLA COUNTY	6%

However, tourist development taxes are remitted to the designated local administrator. The local administrator can vary from county to county. For example, in Polk County the local administrator is the Tax Collector, while in Orange County the local administrator is the Comptroller.

Note: Local tourist development tax administrators for Polk, Osceola, Lake and Orange Counties are referenced in Section VI of this publication. For tourist development tax administrators in other Florida counties, contact the applicable regional Department of Revenue Service Center.

### ***What happens when sales taxes are not paid?***

**Answer:** Like state sales taxes, a failure to file a return and remit sales taxes on a timely basis will result in the vacation home owner being liable for the estimated tourist development taxes due, plus penalties and interest. In the case of a false or fraudulent return or a willful attempt to evade payment of the tourist development taxes due, the vacation homeowner and/or property manager shall be subject to a criminal penalty of up to one year in jail and be liable for a specific penalty of Two Hundred Percent (200%) of the tax bill.

#### **Administrative Advisories Can Help You Understand Tourist Development Taxes**

The Tax Collector's Office issues Administrative Advisories in order to provide additional information, clarify, or further define specific issues within Tourist Development Tax program administration. To review these Administrative Advisories, go to [www.polktaxes.com](http://www.polktaxes.com) and scroll over Tourist Development Taxes on the Main Menu for the link.

## **RESOURCES: TOURIST DEVELOPMENT TAXES**

### **POLK COUNTY**

#### **Polk County Tax Collector's Office • Economic Development Support Services**

Mailing Address: PO Box 2016, Bartow, FL 33831-2016  
Telephone: 863-534-4731  
Email Address: EconomicDevelopment@PolkTaxes.com  
Web Address: www.PolkTaxes.com

### **LAKE COUNTY**

#### **Lake County Tax Collector's Office**

Mailing Address: PO Box 327, Tavares, FL 32778  
Telephone: 352-343-9740  
Web Address: www.laketax.com

### **ORANGE COUNTY**

#### **Orange County Tax Collector's Office**

Mailing Address: PO Box 2551, Orlando, FL 32802  
Telephone: 407-836-2700  
Web Address: www.octaxcol.com

## OSCEOLA COUNTY

### Osceola County Tax Collector's Office (Remittances)

Mailing Address: 2501 E Irlo Bronson Memorial Hwy, Kissimmee, FL 34744  
Telephone: 407-742-4000  
Web Address: [www.osceolataxcollector.org](http://www.osceolataxcollector.org)

### Osceola County Board of County Commissioners, Audit Department (Auditing)

Mailing Address: PO Box 423066, Kissimmee, FL 34742  
Telephone: 407-343-6400  
Web Address: [www.osceola.org](http://www.osceola.org)

## G. Federal Income Taxes

Complying with **federal income taxes** can be very complicated and tax determinations may vary widely depending on such matters as business type or status, as well as income level, etc. When and where income tax returns are filed can also vary according to the taxpayer's situation.

***Vacation homeowners are advised to consult with tax professionals or seek advice from the Internal Revenue Service before filing their federal income tax returns.***

Generally, U.S. citizens who are vacation rental homeowners are required file a federal income tax return with the Internal Revenue Service. Capital gains income or the profit from the sale of a vacation rental home must also be reported to the Internal Revenue Service.

Many vacation rental homeowners are owned by foreigners. Foreign vacation rental homeowners must obtain an Individual Tax Identification Number (ITIN) from the Internal Revenue Service, as well as file their income tax returns with that agency. Withholding requirements also apply to foreign owners upon the sale of their real property.

### ***What happens when sales taxes are not paid?***

***Answer:*** Failing to file the required returns and pay the taxes due may result in criminal prosecution and/or civil penalties.

## RESOURCES: FEDERAL INCOME TAXES

### UNITED STATES INTERNAL REVENUE SERVICE

#### Income Taxes

Telephone: Toll Free 800-829-4933  
Web Address: [www.irs.gov](http://www.irs.gov)

#### LAKELAND ASSISTANCE CENTER

Mailing Address: 2133 Harden Blvc  
Telephone: 863-904-3399

#### MAITLAND/ORLANDO ASSISTANCE CENTER

Mailing Address: 850 Trafalgar Ct, Maitland, FL 32751  
Telephone: 407-660-5830



**Managing your vacation rental home involves more than a financial investment.**

**Your rental property is likely to be in a residential neighborhood.**

**Be a good neighbor and avoid citations!**

## **IV. Managing vacation home rentals in neighborhoods**

### **A. County and municipal codes**

Vacation rental homes are usually located in residential neighborhoods. These neighborhoods may be located in specific areas where county or municipal zoning requirements affect or limit vacation rental home operations.

In certain cases residential zoning requirements may not allow vacation home rental homes to operate. Other code requirements may involve or restrict certain activities, noises, conditions of the property, or hazards, etc.

Prior to engaging in vacation rental home activities, the owner or their property manager should check with their county or municipal zoning officials to determine the established requirements for the property in question.

#### ***What happens when local codes are not adhered to?***

**Answer:** Failing to comply with local codes can result in the vacation home owner being subject civil hearings. Depending on the local governing authority, such hearings may be held before a hearing officer, go to a code enforcement board and/or eventually be heard by the local governing commission. If a violation has been found, significant monetary fines may be imposed.

#### **RESOURCES: COUNTY AND MUNICIPAL CODES**

##### **POLK COUNTY**

##### **Polk County Board of County Commissioners, Code Enforcement Division**

Mailing Address: PO Box 9005, Drawer CS03, Bartow, FL 3831-9005

Telephone: 863-534-6054

Web Address: [www.polk-county.net](http://www.polk-county.net)

Note: If your business and/or rental properties are operating within a municipality of Polk County, contact the municipal government to determine the applicable codes.

#### LAKE COUNTY

##### Lake County Board of County Commissioners, Code Enforcement Services

Mailing Address: PO Box 7800, Tavares, FL 32778-7800  
Telephone: 352-343-9639  
Web Address: www.lakegovernment.com

Note: If your business and/or rental properties are operating within a municipality located inside Lake County, contact your municipal government to find out about their municipal requirements.

#### ORANGE COUNTY

##### Orange County Board of County Commissioners, Code Enforcement Division

Mailing Address: 2450 W 33rd St, Second Floor, Orlando, FL 32839  
Telephone: 407-836-3111  
Web Address: www.oranagecountyfl.net

Note: If your business and/or rental properties are operating within a municipality located inside Orange County, contact your municipal government to find out about their municipal requirements.

#### OSCEOLA COUNTY

##### Osceola County Board of County Commissioners, Zoning and Code Enforcement

Mailing Address: 1 Courthouse Sq, Suite 1400, Kissimmee, FL 34741  
Telephone: 407-343-3400  
Web Address: www.osceola.org

Note: If your business and/or rental properties are operating within a municipality located inside Osceola County, contact your municipal government to find out about their municipal requirements.

## B. Law enforcement

Vacation rental homes, as with any visitor accommodation, can be targets of opportunity for criminals. As such, it is important to know when to call for help and which law enforcement agency provides service to your vacation home.

If a vacation homeowner or their guest has an emergency, they should use the telephone and dial 911. The 911 call center will identify the appropriate law enforcement agency to respond. For non emergencies, please check on the following: If the rental home is located within a municipality, it may have a police department that provides law enforcement services for your rental property; if your rental property is located outside municipal limits, your law enforcement service provider will be the Sheriff's Office.

*In the "Four Corners" area, the Sheriffs of Polk, Osceola, Lake and Orange Counties have entered into interlocal agreements to better coordinate their law enforcement services.*

The Sheriff's Office or municipal police department may also provide educational or awareness programs that can help you better protect your vacation rental home property and the well being of your rental home guests. To find out more contact, the local law enforcement agency serving your rental property.

Many vacation homes are or become equipped with security alarm systems. Law enforcement agencies serving in the Central Florida will respond to security alarms based on established priorities.

Note: The local governing authority, such as the county commission or municipal council, may limit the number of false alarms that can occur at a specific location in a set time period and a cost or charge may be incurred for each occurrence. For more information on false alarm policies, contact the applicable county or municipal government.

Remember your vacation rental home needs to be a good neighbor. While your rental home guests are on vacation or “holiday” they need be apprised of and comply with the all federal, state and local laws.

## RESOURCES: LAW ENFORCEMENT

### POLK COUNTY

#### Polk County Sheriff's Office

Mailing Address: 455 N Broadway Ave, Bartow, FL 33830  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial Toll Free 800-226-0344 or 863-533-0344  
Web Address: [www.polksheriff.org](http://www.polksheriff.org)

Note: If your business and/or rental properties are operating within a municipality located inside Polk County, dial 911 for emergencies or for non-emergencies contact the applicable municipal police or law enforcement department.

### LAKE COUNTY

#### Lake County Sheriff's Office

Mailing Address: 360 W Ruby St, Tavares, FL 32778  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 352-343-9500  
Web Address: [www.lcso.org](http://www.lcso.org)

Note: If your business and/or rental properties are operating within a municipality located inside Lake County, dial 911 for emergencies or for non-emergencies contact the applicable municipal police or law enforcement department.

### ORANGE COUNTY

#### Orange County Sheriff's Office

Mailing Address: 2500 W Colonial Dr, Orlando, FL 32804  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 407-863-4357  
Web Address: [www.ocso.com](http://www.ocso.com)

Note: If your business and/or rental properties are operating within a municipality located inside Orange County, dial 911 for emergencies or for non-emergencies contact the applicable municipal police or law enforcement department.

### OSCEOLA COUNTY

#### Osceola County Sheriff's Office

Mailing Address: 2601 E Irlo Bronson Memorial Hwy, Kissimmee, FL 34744  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 407-348-2222  
Web Address: [www.osceola.org/index.cfm?lsFuses=department/Sheriff](http://www.osceola.org/index.cfm?lsFuses=department/Sheriff)

Note: If your business and/or rental properties are operating within a municipality located inside Osceola County, dial 911 for emergencies or for non-emergencies contact the applicable municipal police or law enforcement department.

## C. Fire and emergency management services

Fire and other types of emergency services are important to vacation homeowners and their guests. Therefore it is a good idea to know when to call for help and which fire and emergency services are available for your vacation home.

If a vacation homeowner or their guest has an emergency, they should use the telephone and dial 911. The 911 call center will identify the appropriate fire or emergency service agency to respond.

Note: If the rental home is located within a municipality, it may have a fire department, paramedics, ambulance or other emergency responders provide services to your rental property. If your rental property is located outside municipal limits, the county will provide similar emergency services to your rental property.

Fire and emergency service agencies may also provide educational or awareness programs that can help you better prevent fires and prepare for certain types of emergencies, such as weather related events. To find out more, contact the fire and emergency response agencies serving your rental property.

Many vacation homes are or become equipped with fire or environment alarm systems. Fire and emergency service agencies in the Central Florida will respond to these alarms based on established priorities.

## RESOURCES: FIRE AND EMERGENCY SERVICES

### POLK COUNTY

#### **Polk County Board of County Commissioners, Fire Services**

Mailing Address: 250 Bartow Air Base, Bartow, FL 33880  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 863-519-7350  
Web Address: [www.polk-county.net](http://www.polk-county.net)

#### **Polk County Board of County Commissioners, Emergency Management**

Mailing Address: 1295 Brice Blvd, Bartow, FL 33830  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 863-534-5600  
Web Address: [www.polk-county.net](http://www.polk-county.net)

Note: If your business and/or rental properties are operating within a municipality located inside Polk County, dial 911 for emergencies or for non-emergencies contact the applicable municipal government to find out about their fire and emergency services.

### LAKE COUNTY

#### **Lake County Board of County Commissioners, Public Safety Department**

Mailing Address: PO Box 7800, Tavares, FL 32778-7800  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 352-343-9458  
Web Address: [www.lakegovernment.com](http://www.lakegovernment.com)

Note: If your business and/or rental properties are operating within a municipality located inside Lake County, dial 911 for emergencies or for non-emergencies contact the applicable municipal government to find out about their fire and emergency services.

### ORANGE COUNTY

#### **Orange County Board of County Commissioners, Fire Rescue Headquarters**

Mailing Address: PO Box 5879, Winter Park, FL 32793  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 407-836-9111  
Web Address: [www.orangedcountyfl.net](http://www.orangedcountyfl.net)

#### **Orange County Board of County Commissioners, Office of Emergency Management**

Mailing Address: PO Box 5879, Winter Park, FL 32793  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 407-836-9140  
Web Address: [www.orangedcountyfl.net](http://www.orangedcountyfl.net)

Note: If your business and/or rental properties are operating within a municipality located inside Orange County, dial 911 for emergencies or for non-emergencies contact the applicable municipal government to find out about their fire and emergency services.

#### OSCEOLA COUNTY

**Osceola County Board of County Commissioners, Emergency Services Office (Includes Fire Rescue)**

Mailing Address: 320 N Beaumont Ave, Public Safety Building, Kissimmee, FL 34741  
Telephone: Emergencies Only Dial 911  
Non-Emergencies Dial 407-343-7000  
Web Address: [www.osceola.org](http://www.osceola.org)

Note: If your business and/or rental properties are operating within a municipality located inside Osceola County, dial 911 for emergencies or for non-emergencies contact the applicable municipal government to find out about their fire and emergency services.

## D. Utilities

There are a number of water and sewer service providers in the Central Florida area. In many cases, these services are provided to your rental property by a local governing authority.

Many of utility providers have programs to promote customer savings through conservation or efficiency measures. To find out more contact your local utility provider.

### ***About water use restrictions...***

Throughout Central Florida water is a natural attraction and a precious resource. The state has established water management districts to preserve and protect our water resources. In many places, the regional water management district has instituted water use restrictions. In some cases, a county or municipality has adopted even tougher water use restrictions. To find out more, contact your county or municipal water service provider.

#### RESOURCES: UTILITIES

##### POLK COUNTY

**Polk County Board of County Commissioners, Utilities Department**

Mailing Address: PO Box 2019, Bartow, FL 33831-2019  
Telephone: 863-298-4100  
Web Address: [www.polk-county.net](http://www.polk-county.net)

Note: If your business and/or rental properties are served by a municipality or some other service provider located inside Polk County, contact the applicable municipal utility department or provider serving your area. For a listing of the municipal utility or company serving your area visit <http://www.floridapsc.com/utilities/> online.

##### LAKE COUNTY

There are a number of water and sewer service providers operating in Osceola County. For a listing of the municipal utility or company serving your area visit <http://www.floridapsc.com/utilities/> online.

##### ORANGE COUNTY

**Orange County Board of County Commissioners, Water Division**

Mailing Address: 9150 Curry Ford Rd, 3rd Floor, Utilities Administration Bldg, Orlando, FL 32825  
Telephone: 407-254-9850  
Web Address: [www.orangecountyfl.net](http://www.orangecountyfl.net)

Note: If your business and/or rental properties are served by a municipality or some other service provider located inside Orange County, contact the applicable municipal utility department or provider serving your area. For a listing of the municipal utility or company serving your area visit <http://www.floridapsc.com/utilities/> online.

## OSCEOLA COUNTY

There are a number of water and sewer service providers operating in Osceola County. For a listing of the municipal utility or company serving your area visit <http://www.floridapsc.com/utilities/> online.

## E. Waste management

There are a number of waste management service providers in the Central Florida area. Garbage collection services are generally provided by local governing authorities or private contractors hired by the local governing authority. In these cases, waste management service costs are paid for by the vacation homeowner when they remit their real estate property taxes to the Tax Collector. To find out more, contact your county or municipal waste management office.

Note: In some isolated cases, when no government waste management service is available or utilized, a vacation home owner may have to contract directly with a private waste management or garbage collection service.

### RESOURCES: WASTE MANAGEMENT

#### POLK COUNTY

##### **Polk County Board of County Commissioners, Solid Waste Division**

Mailing Address: 10 Environmental Loop, Winter Haven, FL 33880

Telephone: 863-284-4319

Web Address: [www.polk-county.net](http://www.polk-county.net)

Note: If your business and/or rental properties are served by a municipality or some other service provider located inside Polk County, contact the applicable municipal utility department or provider serving your area.

#### LAKE COUNTY

##### **Lake County Board of County Commissioners, Solid Waste Management**

Mailing Address: PO Box 7800, Tavares, FL 32778

Telephone: 352-343-3776

Web Address: [www.lakegovernment.com](http://www.lakegovernment.com)

Note: If your business and/or rental properties are served by a municipality or some other service provider located inside Lake County, contact the applicable municipal utility department or provider serving your area.

#### ORANGE COUNTY

##### **Orange County Board of County Commissioners, Solid Waste Division**

Mailing Address: 5901 Young Pine Rd, Orland, FL 32829

Telephone: 407-836-6600

Web Address: [www.orangecountyfl.net](http://www.orangecountyfl.net)

Note: If your business and/or rental properties are served by a municipality or some other service provider located inside Orange County, contact the applicable municipal utility department or provider serving your area.

#### OSCEOLA COUNTY

##### **Osceola County Board of County Commissioners, Solid Waste Department**

Mailing Address: 750 S Bass Rd, Kissimmee, FL 34741

Telephone: 407-962-1100

Web Address: [www.osceola.org](http://www.osceola.org)

Note: If your business and/or rental properties are served by a municipality or some other service provider located inside Osceola County, contact the applicable municipal utility department or provider serving your area.

## F. Deed restrictions and homeowners associations

Chances are your vacation home is in a deed restricted community and governed by a homeowners' association. If this is the case, prior to purchasing your home, you should have been apprised by the previous owner, the sales professional, your attorney or closing agent, etc., about specific deed restrictions and/or the existence of a homeowners association and its bylaws.

Some deed restrictions ban or significantly restrict vacation rental home activities. To determine any such restrictions, refer to your property deed and accompanying documents.

In some cases, homeowners associations and their bylaws or governing documents do not allow member homes to be used for short-term rentals or severely limit such activities.

Additionally, homeowners associations generally charge mandatory annual, biannual, quarterly or monthly dues, in some case they can even charge special assessment, which can vary widely depending on the association's bylaws and the actions of the governing board.

***What happens when deed restrictions or homeowners bylaws are not adhered to?***

***Answer:*** Failing to adhere to deed restrictions may result in code violation or other local government action. Failing to adhere to deed restrictions or homeowners' association bylaws may result in warnings, the application of costly penalties, subsequent civil arbitration or even court action.

### RESOURCES: DEED RESTRICTIONS AND HOMEOWNERS ASSOCIATIONS

Please refer to materials provided to you at the closing of your property.



**Managing your vacation rental home is a business activity.**

**Profiting from your visitor business is the challenge.**

**There are resources available to help you!**

## V. Managing customer and business opportunities

### A. Tourism and sports marketing

Tourist development tax dollars are used by counties to support tourism development.

Each county has a tourist development council that provides the county with advice on how to better develop tourism to the benefit of accommodation providers, including vacation rental homeowners.

Each county also has established tourism agencies, and in some cases even sports marketing organizations, that work closely with the tourism development councils to implement visitor initiatives. These agencies may have materials, programs or information that you can use to increase your visitor traffic.

For more information, contact your county tourism agency.

#### RESOURCES: TOURISM AND SPORTS MARKETING

##### POLK COUNTY

###### **Polk County Board of County Commissioners, Tourism and Sports Marketing**

Central Florida Visitors Convention and Visitors Bureau  
Mailing Address: 600 N Broadway, Bartow, FL 33830  
Telephone: 863-534-2500  
Web Address: [www.visitcentralflorida.org](http://www.visitcentralflorida.org)

Polk County Sports Marketing  
Mailing Address: 600 N Broadway, Bartow, FL 33830  
Telephone: 863-534-2500  
Web Address: [www.centralfloridasports.com](http://www.centralfloridasports.com)

##### LAKE COUNTY

###### **Lake County Board of County Commissioners, Tourism and Business Relations**

Lake County Visitors Convention and Visitors Bureau  
Mailing Address: 20763 U S Highway 27, Groveland, FL 34736  
Telephone: 352-429-3673  
Web Address: [www.lakegovernment.com/visitors/](http://www.lakegovernment.com/visitors/)

#### ORANGE COUNTY

##### **Orlando/Orange County Visitors Convention and Visitors Bureau**

Mailing Address: 6700 Forum Dr, Suite 100, Orlando, FL 32821  
Telephone: 407-422-7159  
Web Address: [www.orlandoifnc.com](http://www.orlandoifnc.com)

#### OSCEOLA COUNTY

##### **Kissimmee Convention and Visitors Bureau**

Mailing Address: 1925 E Irlo Bronson Memorial Hwy, Kissimmee, FL 34744  
Telephone: 407-944-2400  
Web Address: [www.floridakiss.com](http://www.floridakiss.com)

## B. Economic development

A vacation rental home is not just about being in the visitor accommodation business. For vacation homeowners it is also an investment.

One of the things that is necessary, in order for homeowner to realize a positive return on their investment, is a growing vibrant economy. To promote economic development, counties and municipalities have set up agencies develop business opportunities, including partnerships between the public and private sector.

These economic development agencies and their business efforts are funded, in most cases, in whole or in part by local business taxes (previously referred to as occupational license taxes). Many of these agencies have business development and assistance programs that may be available to vacation rental home businesses. To find out more contact your county or municipal economic development agencies.

### RESOURCES: ECONOMIC DEVELOPMENT

#### POLK COUNTY

##### **Polk County Board of County Commissioners, Economic Development Department**

Central Florida Development Council

Mailing Address: 600 N Broadway, Bartow, FL 33830  
Telephone: 863-534-4370  
Web Address: [www.cfdc.org](http://www.cfdc.org)

#### LAKE COUNTY

##### **Lake County Board of County Commissioners, Department of Economic Growth and Redevelopment**

Mailing Address: PO Box 7800, Tavares, FL 32778  
Telephone: 352-343-9866  
Web Address: [www.lakegovernment.com](http://www.lakegovernment.com)

#### ORANGE COUNTY

##### **Orange County Board of County Commissioners, Economic Trade and Tourism Office**

Mailing Address: 310 E Pine St, Suite 900, Orlando, FL 32801  
Telephone: 407-422-7159  
Web Address: [www.orangecountyfl.net](http://www.orangecountyfl.net)

#### OSCEOLA COUNTY

##### **Osceola County Board of County Commissioners, Economic Development Department**

Mailing Address: 3 Courthouse Sq, Suite 208, Kissimmee, FL 34741  
Telephone: 407-343-4050  
Web Address: [www.osceola.org](http://www.osceola.org)