

## What is Student Legal Services?

Established in 1979, Student Legal Services has four full-time, licensed attorneys to provide free legal services to enrolled UCF students.

We assist students with:

- ◆ Most criminal matters.
- ◆ Traffic tickets.
- ◆ Simple wills.
- ◆ Landlord tenant matters.
- ◆ Consumer issues.
- ◆ Chapter 7 bankruptcies.
- ◆ Uncontested divorces.

Students are only responsible for paying any court costs, fees incidental to litigation, fines, penalties, or amounts of any judgments awarded against you.

We cannot represent students against other students, students against UCF or the State of Florida, students in their income producing activities, and students in university disciplinary matters.

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This brochure is for informational purposes only and is not intended to be a substitute for legal advice.

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## Having a problem?

## Have Questions?

## Come see us!



# STUDENT LEGAL SERVICES

*Serving Students since 1979*



UNIVERSITY OF  
CENTRAL FLORIDA

You can find us at:  
Ferrell Commons 142

Phone: 407-823-2538

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<http://sls.sdes.ucf.edu/>

## STUDENT LEGAL SERVICES

## Open House Party



**Ferrell  
Commons 142**

UNIVERSITY OF  
CENTRAL FLORIDA

# Throwing a party? What you need to know!

Student Legal Services (SLS) often sees students with criminal, landlord tenant and other issues as a result of a party.

## Open House Party Laws.

Under Florida law, an “open house party” is any social gathering at a residence. If you are over 18 and have control of a residence, you could face charges if you know that a minor (a person under 21) is in possession of or has consumed alcohol or drugs or if you do not take reasonable steps to prevent the possession or consumption of drugs or alcohol. The first instance is a Second Degree Misdemeanor (up to a \$500 fine and 60 days imprisonment). A second or subsequent time is a First Degree Misdemeanor (up to a \$1000 fine and one year imprisonment).

If a minor dies has a serious bodily injury or if the minor causes death or serious bodily injury to another, the person in control of the property can be charged with a First Degree Misdemeanor.

## Social Host Liability.

Under Florida law, if you unlawfully furnish or sell alcohol to a minor (under 21) or knowingly serve someone who is “habitually addicted” to alcohol, you can be sued if injury or damage results due to the minor’s or person’s intoxication.

## Open Container Laws.

All central Florida municipalities have open container laws. If you or a guest walks out

of the residence and onto public property (sidewalk, street, parking lot) with an open alcoholic beverage, you could be cited with a violation of the open container law.

## Landlord Issues.

If you throw a party and you rent, a variety of issues may arise:

- Your lease may prohibit parties or social gatherings of so many people.
- If one of your guests causes damage to the property (i.e. breaks the stove), you will be liable to your landlord for that damage.
- If someone is arrested at your apartment (you or a guest), you may be in material breach of your lease and be given a 7 Day Notice with No Right to Cure—meaning that you are being asked to move out within 7 days or face a lawsuit for eviction. You will also be liable for rent until the lease ends or a replacement tenant is found, even though you can no longer live there.
- If you violate another rule of the landlord, you may get you a Curable 7 Day Notice. If you violate the noise policy again within 12 months, the curable notice can become uncurable. Due to changes in the law in July 2013, the landlord does not have to give you another notice if you violate a second time; he or she can just file the eviction.
- A party that gets loud, where vehicles are parked everywhere around your house and/or police visits may jeopardize your ability to be a good neighbor and/or to maintain a good relationship with your landlord.

## Police Visits.

If the police visit:

- Stay calm and respectful. Do not do anything that may be perceived as a threat—keep your hands visible and do not crowd the officers.

- Police generally need a warrant to search, so open the door with a chain or step outside and close the door behind you. You do not have to let an officer in. However, if the officer has probable cause that a crime is being committed (i.e. the officer can smell marijuana smoke or can see drugs through a window), then the officer can search without a warrant. Police can also be given permission to search/come in by a person who they believe has the right to do so (so keep control of who enters and exits the property!).
- If the officer decides to search without your permission, remain calm. Politely state that you object to the search. Do not touch the officers or physically resist in any way.
- As always, you and your guests have the right to remain silent and do not have to answer any questions. You also have the right to state that you will be seeking the advice of an attorney.
- Even if the police do not file charges/cite you, they may refer the issue to UCF’s Office of Student Conduct, if the officer knows that you are a student.

## Confused? Have questions?

Call or stop by to make an appointment with SLS!

**S T U D E N T L E G A L  
S E R V I C E S**

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