

The 2004 Florida Statutes

TITLE VIII LIMITATIONS CHAPTER 95 LIMITATIONS OF ACTIONS; ADVERSE POSSESSION

95.11 Limitations other than for the recovery of real property.--Actions other than for recovery of real property shall be commenced as follows:

- (1) WITHIN TWENTY YEARS.--An action on a judgment or decree of a court of record in this state.
- (2) WITHIN FIVE YEARS.--
 - (a) An action on a judgment or decree of any court, not of record, of this state or any court of the United States, any other state or territory in the United States, or a foreign country.
 - (b) A legal or equitable action on a contract, obligation, or liability founded on a written instrument, except for an action to enforce a claim against a payment bond, which shall be governed by the applicable provisions of ss. [255.05\(2\)\(a\)2.](#) and [713.23\(1\)\(e\).](#)
 - (c) An action to foreclose a mortgage.
- (3) WITHIN FOUR YEARS.--
 - (a) An action founded on negligence.
 - (b) An action relating to the determination of paternity, with the time running from the date the child reaches the age of majority.
 - (c) An action founded on the design, planning, or construction of an improvement to real property, with the time running from the date of actual possession by the owner, the date of the issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion or termination of the contract between the professional engineer, registered architect, or licensed contractor and his or her employer, whichever date is latest; except that, when the action involves a latent defect, the time runs from the time the defect is discovered or should have been discovered with the exercise of due diligence. In any event, the action must be commenced within 15 years after the date of actual possession by the owner, the date of the issuance of a certificate of occupancy, the date of abandonment of construction if not completed, or the date of completion or termination of the contract between the professional engineer, registered architect, or licensed contractor and his or her employer, whichever date is latest.