

**20.27 PRESENTING A FALSE DOCUMENT TO DETAIN OR REMAIN UPON
REAL PROPERTY**

§ 817.03(2), Fla. Stat.

To prove the crime of Presenting a False Document to Obtain or Detain Upon Real Property, the State must prove the following two elements beyond a reasonable doubt:

1. (Defendant) **knowingly and willfully presented a false document to (victim) that purported to be a valid [lease agreement] [deed] [or] [other instrument conveying a real property right].**
2. (Defendant) **did so with the intent to detain or remain upon real property.**

The intent with which an act is done is an operation of the mind and, therefore, is not always capable of direct and positive proof. It may be established by circumstantial evidence like any other fact in a case.

“Knowingly” means that the defendant was aware of the fact and was not acting through ignorance, mistake, or accident.

“Willfully” means intentionally and purposely.

§ 192.001, Fla. Stat.

“Real property” means land, buildings, fixtures, and all other improvements to land. The terms “land,” “real estate,” “realty,” and “real property” may be used interchangeably.

Lesser Included Offense

**PRESENTING A FALSE DOCUMENT TO DETAIN OR REMAIN UPON REAL
PROPERTY — 817.03(2)**

CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
None			
	Attempt	777.04(1)	5.1

Comment

This instruction was adopted on February 21, 2025.