

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 504, L.D. 695, Bill, "An Act to Amend Security Deposit Provisions for Residential Rental Units"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 14 MRSA §6031, sub-§1, as amended by PL 1981, c. 428, §11, is further amended to read:

1. Normal wear and tear. "Normal wear and tear" means that the deterioration which that occurs, based upon the use for which the rental unit is intended, without negligence, carelessness, accident or abuse of the premises or equipment or chattels by the tenant or members of his the tenant's household or their invitees or guests. The term "normal wear and tear" does not include sums or labor expended by the landlord in removing from the rental unit articles abandoned by the tenant such as trash. If a rental unit was leased to the tenant in a habitable condition or if it was put in a habitable condition by the landlord during the term of the tenancy, normal wear and tear does not include sums required to be expended by the landlord to return the rental unit to a habitable condition, which may include costs for cleaning, unless expenditure of these sums was necessitated by actions of the landlord, events beyond the control of the tenant or actions of someone other than the tenant or members of his the tenant's household or their invitees or guests.'

COMMITTEE AMENDMENT

748

2 Further amend the bill by inserting at the end before the
summary the following:

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FISCAL NOTE

8 This bill may increase the number of civil suits filed in
the court system. The additional workload and administrative
10 costs associated with the minimal number of new cases filed can
be absorbed within the budgeted resources of the Judicial
12 Department. The collection of additional filing fees may also
increase General Fund revenue by minor amounts.'

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SUMMARY

18 This amendment replaces the bill. It clarifies that costs
of cleaning a rental unit to return it to habitable condition are
20 not sums attributable to normal wear and tear, and therefore the
landlord may withhold those costs from the tenant's security
22 deposit. This amendment also adds a fiscal note to the bill.