

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1471

H.P. 963

House of Representatives, April 3, 2025

**An Act to Require Energy Efficiency Disclosure Statements and
Energy Efficiency Standards for Certain Rental Housing in the
State**

Reference to the Committee on Judiciary suggested and ordered printed.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative EDER of Waterboro.

Cosponsored by Representatives: JULIA of Waterville, SACHS of Freeport.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 14 MRSA §6030-C, sub-§3** is enacted to read:

3 **3. Failure to provide energy efficiency disclosure statement.** Beginning January 1,
4 2030, a tenant under subsection 2 who does not receive a signed energy efficiency
5 disclosure statement as required by this section may terminate the tenant's lease by
6 providing the landlord a 30-day written notice. Except as provided in section 6033, a
7 landlord may not retain a security deposit or a portion of a security deposit for a lease or
8 tenancy at will terminated as a result of a failure to provide a signed energy efficiency
9 disclosure statement in accordance with this section.

10 **Sec. 2. 14 MRSA §6030-C, sub-§4** is enacted to read:

11 **4. Failure to meet insulation standards.** Beginning January 1, 2035, a tenant under
12 subsection 2 whose rental dwelling unit does not meet the insulation standards under the
13 suggested energy efficiency standards under Title 35-A, section 10117, subsection 2 may:

14 A. Terminate the tenant's lease by providing the landlord a 30-day written notice.
15 Except as provided in section 6033, a landlord may not retain a security deposit or a
16 portion of a security deposit for a lease or tenancy at will terminated as a result of a
17 failure to provide adequate insulation in the tenant's dwelling unit in accordance with
18 this subsection; or

19 B. If the tenant pays for the heat, receive an amount equal to 50% of the tenant's
20 monthly heating bill from the landlord until the insulation standards of the tenant's
21 dwelling unit under Title 35-A, section 10117, subsection 2 are met. If the tenant's
22 utility bill for the dwelling unit's heat includes charges for other uses or services, the
23 portion of the tenant's utility bill representing the cost for heating must be reasonably
24 estimated.

25 **Sec. 3. 14 MRSA §6030-C, sub-§5** is enacted to read:

26 **5. Exemptions.** Subsection 4 does not apply to an owner-occupied building of 3
27 dwelling units or less, a short-term rental of less than 30 days or a dwelling unit that is
28 rented less than 2 years out of any 5-year period. A landlord may be exempt from
29 subsection 4, paragraph B if the landlord demonstrates that meeting the insulation standard
30 under Title 35-A, section 10117, subsection 2 for the dwelling unit is impractical or subjects
31 the landlord to undue economic burden or hardship.

32 **Sec. 4. 14 MRSA §6030-C, sub-§6** is enacted to read:

33 **6. Rebuttable presumption of retaliation.** In any action of forcible entry and
34 detrainer under section 6001, there is a rebuttable presumption that the action was
35 commenced in retaliation against the tenant if, within 6 months before the commencement
36 of the action, the tenant has asserted the tenant's rights pursuant to this section. The
37 rebuttable presumption of retaliation does not apply unless the tenant asserted that tenant's
38 rights pursuant to this section prior to being served with the eviction notice. There is no
39 presumption of retaliation if the action for forcible entry and detrainer is brought for failure
40 to pay rent or for causing substantial damage to the premises.

41 **Sec. 5. 14 MRSA §6030-C, sub-§7** is enacted to read:

7. Rules. The Public Utilities Commission shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules under Title 5, chapter 375, subchapter 2-A.

Sec. 6. 35-A MRSA §10117, sub-§1, as amended by PL 2023, c. 259, §1, is further amended to read:

1. Residential rental energy efficiency disclosure statement. The trust and the Maine State Housing Authority shall prepare a residential rental energy efficiency disclosure statement form for landlords and other lessors of residential properties to use to disclose to tenants and lessees information about the energy efficiency of the property in order to comply with Title 14, section 6030-C. The trust, the commission and the Maine State Housing Authority shall post and maintain the statement form required by this subsection on the Internet in a format that is easily accessible by the public and distribute the form to tenants' rights organizations, elderly advocacy organizations and other entities determined relevant by the trust, the commission and the Maine State Housing Authority.

Sec. 7. 35-A MRSA §10117, sub-§2, as amended by PL 2023, c. 259, §1, is further amended to read:

2. Suggested energy efficiency standards for residential rental properties. The trust and the Maine State Housing Authority commission shall prepare and update suggested energy efficiency standards for landlords and other lessors of residential rental property that is used by a tenant or lessee as a primary residence. The trust, the commission and the Maine State Housing Authority shall post and maintain the standards required by this subsection on the Internet in a format that is easily accessible by the public; and distribute the standards to tenants' rights organizations, elderly advocacy organizations and other entities determined relevant by the trust, the commission and the Maine State Housing Authority. The energy efficiency standards under this subsection must list at a minimum standards for:

A. Heating systems, including tested heating system efficiency;

B. Insulation for walls, ceilings, floors over unheated areas and basement walls:

C. Windows and doors; and

D. Appliances, including refrigerators and gas stoves.

The standards under this subsection must be listed on the residential rental energy efficiency disclosure statement form under subsection 1.

SUMMARY

This bill allows, beginning January 1, 2030, a tenant to terminate the tenant's lease if the landlord fails to provide a signed energy efficiency disclosure statement required to be provided by landlords under current law. The bill allows, beginning January 1, 2035, a tenant to terminate the tenant's lease if the tenant's dwelling unit does not meet the minimum insulation standards for residential units prepared by the Public Utilities Commission or, if the tenant pays for the dwelling unit's heat, require the landlord to pay the tenant an amount equal to half of the monthly heating bill until the dwelling unit is insulated to minimum insulation standards, with exceptions. The bill requires the Public Utilities Commission to prepare and update minimum energy efficiency standards for

1 residential units and requires the Public Utilities Commission, the Efficiency Maine Trust
2 and the Maine State Housing Authority to post the energy efficiency disclosure statement
3 form and the minimum energy efficiency standards on their publicly accessible websites
4 and to distribute the forms and the standards to tenants' rights organizations, elderly
5 advocacy organizations and other entities determined relevant by the Public Utilities
6 Commission, the Efficiency Maine Trust and the Maine State Housing Authority.