

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 625

H. P. 503

House of Representatives, February 11, 1975

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Henderson of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Specify Grounds for Filing Forcible Entry and Detainer.

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

Sec. 1. 14 MRSA § 6002, first sentence, as amended by PL 1971, c. 322, § 2, is further amended to read:

Tenancies at will must be terminated by either party by 30 days' notice, except as provided in ~~subsection~~ **subsections 1 and 2**, in writing for that purpose given to the other party, and not otherwise, excepting cases where the tenant, if liable to pay rent, shall not be in arrears at the expiration of the notice, in which case the 30 days' notice shall be made to expire upon a rent day, provided that either party may waive in writing said 30 days' notice at the time said notice is given, and at no other time prior to the giving of such notice.

Sec. 2. 14 MRSA § 6002, sub-§ 2, is enacted to read:

2. Causes for termination of tenancy. Notwithstanding any other provisions of this section, a landlord must have good and sufficient cause to terminate a tenancy. In addition to the causes listed in subsection 1, only the following causes shall be deemed good and sufficient:

A. Substantial violation of reasonable building or rental rules which have been posted on the demised premises;

B. Verified complaint of substantial interference with another tenant's or neighbor's quiet enjoyment of the demised premises or adjoining parcels of land or apartment units;

C. A verified pattern of damage to the rented premises which is, in the aggregate, substantial;

D. The tenant has refused the landlord reasonable access to the unit :

- (1) Without notice in an emergency, or
- (2) After reasonable prior written notice for the purpose of making repairs or improvements required by law, or
- (3) After reasonable prior written notice, for the purpose of inspection as permitted or required by law, or
- (4) After reasonable prior written notice for the purpose of showing the rental unit to any prospective purchaser or mortgagee;

E. The landlord seeks to recover possession in good faith and based on a formal agreement to rent, for the use and occupancy of himself, or his children, parents or brother or sister ;

F. The landlord seeks to recover possession to demolish or otherwise remove the unit from the housing market ;

G. The landlord seeks to recover possession to repair or rehabilitate the unit when such repairs or reconstructions are so substantial that they would conflict with the health and welfare of the tenant during the period of reconstruction or repair.

STATEMENT OF FACT

This bill will establish grounds upon which an eviction may be commenced.