

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
107TH LEGISLATURE

(Filing No. H-753)

HOUSE AMENDMENT" "to COMMITTEE AMENDMENT"A" to S.P. 272, L.D. 878, Bill, "AN ACT Defining the Warranty of Habitability and Providing Remedies Therefor."

Amend said Amendment by inserting after the 2nd paragraph of that part designated "§6021." the following new paragraph:

'Notwithstanding the provisions of this section or of section 6010, a landlord and tenant may enter into a written agreement whereby the tenant for fair consideration accepts conditions specifically enumerated within the agreement which exist at the time the parties enter into said written agreement, whether or not such conditions violate the warranty of habitability. No agreement under this paragraph shall prevent the enforcement of any applicable state or municipal code, statute or ordinance, including plumbing code, building code, or electrical code, whose purpose is to protect the safety, health or welfare of inhabitants of human habitations.'

Statement of Fact

The purpose of this amendment is to expressly provide that agreements between landlords and tenants regarding sub-standard conditions in a dwelling unit will be binding on both parties. The amendment specifies, however, that such agreement shall not prevent enforcement of applicable safety, health or welfare statutes and ordinances such as plumbing, electrical and building codes.

Filed by Mr. McKernan of Bangor.

Produced and distributed under the direction of the Clerk of the House.
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