

MAINE STATE LEGISLATURE

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(Filing No. H-548)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "C" to H.P. 1641, L.D. 1843, Bill, "AN ACT Defining the Rights and Responsibilities of Landlords and Tenants in Residential Property."

Amend the bill by inserting immediately after the enacting clause the following:

'Sec. 1. 4 MRSA §152, first sentence, as repealed and replaced by PL 1975, c. 770, §11, is amended to read:

The District Court shall possess the civil jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961, and in addition, original jurisdiction, concurrent with that of the Superior Court of all civil actions in which neither damages in excess of \$20,000 nor, except as herein provided, equitable relief is demanded, of proceedings under Title 14, sections 6651 to 6658 and of actions for divorce or annulment of marriage and of proceedings under Title 19 and original jurisdiction, concurrent with that of the probate court, of actions for separation, original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 14, sections 6651 through 6658, and in such actions the District Court may grant equitable relief; and original jurisdiction, concurrent

with that of the Superior Court, for breach of implied warranty and covenant of habitability under Title 14, section 6021, and in such actions the District Court may grant equitable relief; and original jurisdiction, concurrent with that of the Superior Court, of actions to quiet title to real estate under Title 36, section 946, and in such actions the District Court may grant equitable relief and of actions to foreclose mortgages under Title 14, chapter 713, subchapter VI.'

Further amend the bill in section 3 in that part designated "§6021." in subsection 3 by striking out all of paragraph A and inserting in its place the following:

'A. A condition, which shall be described, endangers or materially impairs the health or safety of the tenants;'

Further amend the bill in section 3 in that part designated "§6021." in subsection 4 by striking out all of paragraph A and inserting in its place the following:

'A. <-----> The court may issue appropriate injunctions ordering the landlord to repair all conditions which endanger or materially impair the health or safety of the tenant;'

Further amend the bill by renumbering the sections to read consecutively.

Statement of Fact

This amendment clarifies the bill by amending Title 4, section 152, the District Court jurisdictional statute, to reflect the equity power conferred on the District Court by L.D. 1843.

This amendment also deletes an unnecessary phrase in Title 14, section 6021, subsection 3, paragraph A. The deletion has no material effect on the bill.

Filed by Mr. Spencer of Standish.

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

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