

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 599

H. P. 467

House of Representatives, February 15, 1979

On Motion of Mr. Hobbins of Saco, referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. E. Jacques of Lewiston.

Cosponsor: Mr. Dudley of Enfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Concerning the Habitability of a Rental Unit.

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

14 MRSA § 6022, is enacted to read:

§ 6022. Habitability and fitness of a dwelling unit

If a condition exists in a "dwelling unit", as defined in section 6021, which renders the dwelling unit unfit for human habitation, a landlord may file a complaint against a tenant with the municipal department of health or welfare or both. The complaint shall state that:

1. Condition endangers health and safety. A condition, which shall be described, endangers or materially impairs the health or safety of the tenants or other inhabitants in the same or other dwelling unit;
2. Conditions not caused by landlord. The condition was not caused by the landlord or another person acting under his control;
3. Written notice given. Written notice of the condition without reasonable delay, was given to the tenant or to an inhabitant of the dwelling unit of reasonable age; and

4. Tenant failed to take action. The tenant unreasonably failed under the circumstances to take prompt, effective steps to repair or remedy the condition.

If the municipal department of health or welfare or both determines that a condition exists in the "dwelling unit" which renders the unit unfit for human habitation and which condition endangers or materially impairs the health or safety of the tenants or other inhabitants in the same or other dwelling unit, and upon being satisfied that the tenant has received notice at least 7 days prior thereto, the municipal department of health or welfare or both must order the tenant to vacate the dwelling unit if the unit must be vacant for the landlord to render that dwelling unit habitable.

STATEMENT OF FACT

This bill proposes to add a new section to the landlord and tenants law which protects the landlord in the event that a tenant renders a dwelling unit unfit for human habitation. In many cases a tenant may bring in disease, rodents or may maintain a dwelling unit in such a poor condition that the dwelling unit becomes a sanitary and health hazard to other tenants in the same building. In this case the landlord is obligated to use the same procedures in this eviction as permitted by law which requires that the tenant be permitted to stay in that dwelling unit for a period of 21 to 70 days.