

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 927

H. P. 740

House of Representatives, March 2, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. Hobbins of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT to Clarify Judicial Discretion Under Warranty of Habitability.

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

14 MRSA § 6021, sub-§ 4, ¶ E is enacted to read:

E. The court may require that any arrearage in payment of the tenant's rent or any future rent payments be made directly to the court to assure that repairs ordered under this subsection will be properly executed. Any such rent payments held by the court shall be paid directly to the landlord upon satisfactory completion of the ordered repairs.

STATEMENT OF FACT

Under the current Warranty of Habitability law the courts are given a choice of remedies when it is found that the statutory requirements of the warranty have been violated. Among the currently available remedies, a judge may order one or more of the following: That one's rent be lowered, that they receive a partial rent rebate or that the landlord fix the dwelling.

This bill authorizes a court to order a tenant to make rent payments directly to the court pending completion of any repairs ordered as a result of a finding of violation of the warranty of habitability.