

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 511

H. P. 461

House of Representatives, January 29, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Brenerman of Portland.

Cosponsors: Representative Racine of Biddeford, Representative Fowlie of Rockland, Representative Macomber of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Prohibit Rent Increases for Dwellings in which there are Violations of the Warranty of Habitability or Housing, Building, Health or Safety Codes.

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

14 MRSA § 6024 is enacted to read:

§ 6024. **Limited prohibition on rent increases**

Rent charged for residential estates at will or residential leaseholds may not be increased if the dwelling unit is in violation of the warranty of habitability or there is a material violation of any duly adopted housing, building, health or safety codes. Any violation caused by the tenant or another person acting under his control shall not bar a rent increase. A written or oral waiver of this requirement is against public policy and is null and void. Any person in violation of this section shall be liable for the return of any sums unlawfully obtained from the lessee, with interest and reasonable attorneys' fees and costs.

STATEMENT OF FACT

This bill would prohibit landlords from increasing rental charges if a dwelling unit is unsafe or unfit under the warranty of habitability or if there is a violation of any housing, building, health or safety code. This would apply only if the tenant had not caused the conditions complained of.

No landlord who has kept his building at reasonable health and safety standards would be affected by this proposal.