

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 767

H. P. 663

House of Representatives, February 10, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Telow of Lewiston.

STATE OF MAINE

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

AN ACT Relating to Property Abandoned by Tenants.

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

14 MRSA § 6013, as enacted by PL 1979, c. 327, § 2, is repealed and the following enacted in its place:

§ 6013. Property abandoned by tenant

Any property abandoned or left unclaimed by a tenant following the tenant's vacating the rental unit shall be, if the value of the individual article is \$10 or more, placed in storage by the landlord in a safe, dry, secured location for a period of 60 days. If the property remains unclaimed after the 60th day following the vacating of the rental unit, the landlord shall make all reasonable effort to contact the tenant, including giving notice to the tenant at his last known address, concerning his intent to dispose of the abandoned property. If the tenant does not respond or cannot be found within a period of 14 days after attempted notice, the landlord may appropriate the property, may sell the property and apply all proceeds to rental arrearages, damages and cost of sale. Any and all remaining balances to the tenant shall then be forwarded to the Treasurer of State.

STATEMENT OF FACT

The current abandoned property statute, Title 33, section 1301, requires that a

landlord must secure all property having a value of less than \$1,000 and is required to advertise in a newspaper prior to disposing of the property by sheriff's sale. The abandoned property statute is for a sum of \$1,000 or less and could be for as little as \$5 and as much as \$150 in costs in order to get rid of the property. This amendment simplifies the abandoned property statute by a tenant.