

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 855

H. P. 723

House of Representatives, February 13, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Berube of Lewiston.

STATE OF MAINE

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

AN ACT Concerning Periodic Tenancy.

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

14 MRSA § 6001, first ¶, is amended by adding at the end a new sentence to read:

A term is any length of time determined by the lease and may be for periods of one day, one week, one month, one year or for several years, and the term is renewable if not expressly stated in the lease.

STATEMENT OF FACT

The purpose of this bill is specifically to clarify some very vague provisions in the law wherein certain leases have been monthly renewable leases for the period of one year and at the end of that year the courts have varied in whether a lease was renewed or whether a tenancy at will was created. This provision is further intended to clarify the fact that a lease does not necessarily have to be for one year, but will be for the period of the rental amount due. In other words, if a lease is payable on a monthly basis and the term is monthly then the term of the lease is monthly, and if no new lease is written up at the end of that monthly period then the lease will be considered renewed rather than complete lapse and a tenancy at will being created. This entire bill is consistent with many Maine cases.