

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 863

H. P. 730

House of Representatives, February 13, 1981

Referred to the Committee on State Government. 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 Relating to the Powers of the Maine State Housing Authority.

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

30 MRSA § 4601-A, sub-§ 1, ¶N is enacted to read:

N. Restrictions. The Maine State Housing Authority is restricted from loaning or purchasing mortgages or evidences of indebtedness covering multiply-family structures where the vacancy rate of the community or area surrounding the community in total is less than 6%. The vacancy rate shall take into consideration all multiple-family structures in the community or area without exceptions, unless the structures have been inspected by a recognized, unbiased, qualified, independent inspector who has made a complete inspection and written a full and complete report of his inspection, with a copy of the inspector's report to the property owner, and a full hearing given to the property owner at which time he may rebut his statements contained in the inspector's report. Should the owner of the inspected multiple-family dwelling elect, he may order work to correct the deficiency stated in the report, then the property shall not be considered other than vacant or occupied as is actually the case at the time of inspection, and shall be so considered in arriving at the vacancy rate of the community.

STATEMENT OF FACT

The purpose of this bill is to eliminate discrepancies in vacancy rates arrived at by the Maine State Housing Authority when the authority determines that a multiple-family dwelling consisting of 10 units does not exist for purposes of vacancy due to the fact that there is a gutter missing on one side of the house and a screen missing in the front door of the building. It has also been common practice for the Maine State Housing Authority to consider vacant or nonexistent those multiple-family housings which have no central heating system, such as gas on gas as a sole source of heating in any dwelling unit. The reason for the procedures of the Maine State Housing Authority is to suggest that if a building does not exist because of minor defects, then additional housing must be constructed to take care of the housing needs of the 10 families in other structures. The entire approach of the Maine State Housing Authority has been a violation of the Maine landlords' rights and duties.