

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 484

7 H.P. 401

House of Representatives, February 1, 1983

8 Received by the Clerk of the House on February 1, 1983. Referred to the
9 Committee on Judiciary, and ordered printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

Presented by Representative Telow of Lewiston.

Cosponsors: Representative Soule of Westport and Representative Carrier
of Westbrook.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT Relating to Termination of Tenancy
18 at Will.
19

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

22 14 MRSA §6002, first ¶, as amended by PL 1971, c.
23 544, §§46-A and 47, is further amended to read:

24 Tenancies at will must be terminated by either
25 party by 30 days' notice, except as provided in sub-
26 section 1, in writing for that purpose given to the
27 other party, and not otherwise, ~~excepting cases where~~
28 ~~the tenant, if liable to pay rent, shall not be in~~
29 ~~arrears at the expiration of the notice, in which~~
30 ~~case the 30 days' notice shall be made to expire upon~~
31 ~~a rent day,~~ provided that either party may waive in
32 writing ~~said~~ the 30 days' notice at the time ~~said~~ the
33 notice is given, and at no other time prior to the
34 giving of ~~such~~ the notice. ~~Such~~ The termination

1 shall not be affected by the receipt of moneys,
2 whether previously owed or for current use and
3 occupation, until the date a writ of possession is
4 issued against the tenant during the period of actual
5 occupancy after receipt of ~~said~~ the notice. When the
6 tenancy is terminated, the tenant is liable to the
7 process of forcible entry and detainer without fur-
8 ther notice and without proof of any relation of
9 landlord and tenant unless he has paid, after service
10 of the notice, rent that accrued after the termina-
11 tion of the tenancy. These provisions apply to ten-
12 ancies of buildings erected on land of another party.
13 Termination of the tenancy shall be deemed to occur
14 at the expiration of the time fixed in the notice.

15 STATEMENT OF FACT

16 Under Title 14, section 6002, the 30-day notice
17 is often required to be extended by as much as 30
18 days so that the tenant's notice would end on a "rent
19 day".

20 This bill allows the 30-day notice to expire
21 whenever the 30 days runs out, deleting the provision
22 relating to the notice ending on a rent day.

23 Public Law 1977, chapter 441 amended the first
24 paragraph of Title 14, section 6002, changing the
25 grounds for a 7-day notice to quit from a 30-day rent
26 arrearage to a 14-day rent arrearage, since problems
27 with rent arrearages are now consistently dealt with
28 under the 7-day notice provisions, this reference to
29 the 30-day notice ending on a rent day has become
30 archaic and should be deleted.

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