

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 423

6  
7 S.P. 156

In Senate, February 5, 1985

8 Reference to the Committee on Legal Affairs suggested and ordered  
9 printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Usher of Cumberland.

Cosponsored by Senator Andrews of Cumberland.

11  
12 STATE OF MAINE  
13

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

17 AN ACT Concerning the Return of Security  
18 Deposits Paid by Tenants.  
19

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

22 14 MRSA §6033, sub-§2, as enacted by PL 1977, c.  
23 359, is amended to read:

24 2. Return; time; retention. A landlord shall re-  
25 turn to a tenant the full security deposit deposited  
26 with the landlord by the tenant plus interest at the  
27 rate of 4% a year or, if there is actual cause for  
28 retaining the security deposit or any portion of it,  
29 the landlord shall provide the tenant with a written  
30 statement itemizing the reasons for the retention of  
31 the security deposit or any portion of it:

32 A. In the case of a written rental agreement,  
33 within the time, not to exceed 30 days, stated in  
34 the agreement; and

1 B. In the case of a tenancy at will, within 21  
2 days after the termination of the tenancy or the  
3 surrender and acceptance of the premises, which-  
4 ever occurs later.

5 The written statement itemizing the reasons for the  
6 retention of any portion of the security deposit  
7 shall be accompanied by a full payment of the differ-  
8 ence between the security deposit and the amount re-  
9 tained.

10 The landlord is deemed to have complied with this  
11 section by mailing the statement and any payment re-  
12 quired to the last known address of the tenant.

13 Nothing in this section shall preclude the landlord  
14 from retaining the security deposit for nonpayment of  
15 rent or nonpayment of utility charges which the ten-  
16 ant was required to pay directly to the landlord.

17 STATEMENT OF FACT

18 The purpose of this bill is to require that any  
19 landlord who has received a security deposit from a  
20 tenant must, upon return of that security deposit,  
21 pay a 4% a year interest.

22 1603010785