

| | FIR | ST RE | GULAR SI | ESSION | |
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| | ONE HUNDRE | D AND | TWELFTH | H LEGISLA | TURE |
| Legislative | Document | | | | No. 6 |
| H.P. 444 | | H | ouse of Re | presentatives | , February 20, 19 |
| On Mo Committee | tion of Represen on Legal Affairs | tative R and or | eeves of P dered print | ittston referr ed. Sent up | ed to the for concurrence. |
| | | | | EDW | IN H. PERT, Cle |
| Presented b | y Representative | Sproul | of Augusta | 1. | |
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| | | STATE | OF MAII | ١E | |
| | τη τ | HE YE | AR OF O | IR LORD | |
| | NINETEEN | | | | VE |
| | ACT to Reg Landlord' andlord Wit | s Prem | mises to | Notify | the |
| Be it en follows: | acted by th | e Peoj | ple of t | the State | of Maine a |
| 14 M | RSA §6028 i | s ena | cted to | read: | |
| §6028. | Tenants inj | ured o | on land | lord's pr | emises |
| | llord's prem 30 days c | ises | shall | notify | is injured of the landlo: h an incider |
| to noti and the | fy the la tenant late | ndlor r ins | d as rec titutes | uired by a suit b | tenant fai subsection ased on th ng provision |

- 1A. If the tenant is the prevailing party, the2tenant shall be limited to no more than 2/3 of3the amount of damages he can prove resulted from4the injury.
- 5 B. If the landlord is the prevailing party, the 6 landlord shall be awarded reasonable attorney 7 fees, expert witness fees and costs, unless the 8 court finds that special circumstances make the 9 award of these fees and costs unjust.
- 10 3. Landlord's duties. Every landlord shall notify in writing each tenant at the start of the rental relationship of the existence and effect of this section. This section does not apply when a landlord is unable to prove that the tenant received the notice required.

STATEMENT OF FACT

17 The purpose of this bill is to protect landlords from false claims based on past incidents that never 18 19 occurred, and mishaps which did not occur on the landlord's premises. Tenants are required to notify 20 21 landlord within 30 days of injury on the the landlord's premises, making it less likely that 22 а false claim can be made in the future. If the tenant 23 fails to provide required notice, the landlord is 24 subject to reduced damages if he is found liable, and 25 26 awarded costs and fees if found not liable. Tenants are protected from the surprise application of the 27 28 provisions of this bill by the requirement that the landlord inform the tenant of the provisions of this 29 bill and its effect. 30

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