

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 802

6  
7 S.P. 313

In Senate, February 28, 1985

8 Reference to the Committee on State Government suggested. On motion  
9 of Senator Violette of Aroostook, referred to the Committee on Legal  
Affairs. Sent down for concurrence and ordered printed.

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

Presented by Senator Najarian of Cumberland.

11 Cosponsored by Representative Bost of Orono.

12 STATE OF MAINE  
13

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

17 Resolve, Authorizing and Directing the Maine  
18 State Housing Authority to Study and  
19 Report on Current Practices Relating  
20 to Enforcement of Safe and Habitable  
21 Conditions in Rental Housing.  
22

23 Preamble. Whereas, safe and suitable housing is  
24 both a need and a right of individual Maine citizens;  
25 and

26 Whereas, there are long-standing conditions of  
27 seriously substandard and unsafe rental housing in  
28 Maine communities; and

29 Whereas, there are widely differing degrees of  
30 regulation and enforcement activities related to  
31 those problems and large differences in the quality  
32 of housing available and no state policy for resolv-  
33 ing these differences and problems; now, therefore,  
34 be it

1           **Study of rental housing. Resolved:** That the  
2 Maine State Housing Authority, with the assistance of  
3 the State Planning Office, is directed to conduct a  
4 study and report to the review committee, as estab-  
5 lished by this resolve, by January 1, 1986, on cur-  
6 rent regulatory practices and conditions of rental  
7 housing in the various localities within the State.

8           In conducting the study, the authority is di-  
9 rected to seek the cooperation and assistance of the  
10 Maine Municipal Association, the Association of  
11 Building Code Enforcement Officers, organizations and  
12 representatives of landlords and of tenants and other  
13 agencies or organizations with special interest or  
14 expertise on the subject.

15           The study shall be confined to fact finding and  
16 data analysis. Conclusions and recommendations will  
17 be left to the review committee established by this  
18 resolve. The purpose of the study is to gather, com-  
19 pile and analyze relevant information, especially in  
20 the following areas:

21           1. Current ordinances in the various towns regu-  
22 lating conditions in rental housing and current en-  
23 forcement practices to promote safe and decent rental  
24 housing;

25           2. Statistical and anecdotal information illus-  
26 trating the extent and seriousness of substandard  
27 conditions in rental housing and the availability and  
28 affordability of adequate rental housing in the  
29 State; and

30           3. Alternative methods for achieving adequate  
31 and affordable rental housing and compliance with de-  
32 sirable standards for safe and decent rental housing,  
33 including, but not limited to, educational programs,  
34 legislation litigation and financial incentives; and  
35 be it further

36           **Review committee established. Resolved:** That a  
37 Review Committee on Rental Housing Conditions and  
38 Standards be established, with membership to be ap-  
39 pointed as follows: The Senate and House of Repre-  
40 sentatives chairmen of the Joint Standing Committee  
41 on Legal Affairs, or their designees, and 5 other

1 members to be appointed by them, including another  
2 Legislator, a representative of municipalities, a  
3 representative of landlords, a representative of code  
4 enforcement officers and a representative of tenants.  
5 The agencies and organizations performing the study  
6 and the Office of Legislative Assistants shall serve  
7 as staff for the review committee.

8 The Review Committee on Rental Housing Conditions  
9 and Standards shall:

- 10 1. Approve the detailed work plan for the study;
- 11 2. Conduct general oversight of the study;
- 12 3. Conduct a public hearing on the study;
- 13 4. Examine the findings of the study in the  
14 light of testimony received at the hearing; and
- 15 5. Report, by March 1, 1986, their conclusions  
16 and recommendations to the Joint Standing Committee  
17 on Legal Affairs. That report shall include a model  
18 ordinance relating to rental housing and other recom-  
19 mendations which could lead to improved enforcement  
20 of safe and habitable conditions in rental housing.

21

#### STATEMENT OF FACT

22 The purpose of this resolve is as set out in the  
23 preamble.

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