

MAINE STATE LEGISLATURE

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L.D. 1041

(Filing No. H-177)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 732, L.D. 1041, Bill, "AN ACT Concerning Abandoned or Unclaimed Property and Security Deposits in a Landlord and Tenant Agreement."

Amend the Bill by striking out everything after the enacting clause and inserting in its place the following:

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

2. Return; time; retention. A landlord shall return to a tenant the full security deposit deposited with the landlord by the tenant or, if there is actual cause for retaining the security deposit or any portion of it, the landlord shall provide the tenant with a written statement itemizing the reasons for the retention of the security deposit or any portion of it:

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

B. In the case of a tenancy at will, within 21 days after the termination of the tenancy or the surrender and acceptance of the premises, whichever occurs later.

The written statement itemizing the reasons for the retention of any portion of the security deposit shall be accompanied by a full payment of the difference between the security deposit and the amount retained.

The landlord is deemed to have complied with this

COMMITTEE AMENDMENT "A" to H.P. 732, L.D. 1041

1 section by mailing the statement and any payment re-
2 quired to the last known address of the tenant.

3 Nothing in this section ~~shall~~ may preclude the land-
4 lord from retaining the security deposit to cover the
5 costs of storing and disposing of unclaimed property,
6 for nonpayment of rent or nonpayment of utility
7 charges which the tenant was required to pay directly
8 to the landlord.'

9 STATEMENT OF FACT

10 This amendment clarifies that a landlord may re-
11 tain the security deposit to cover costs of storing
12 and disposing of property left by the tenant or the
13 tenant's invitees. The landlord must give notice in
14 writing to the tenant that he is retaining part or
15 all of the security deposit and the reason why he is
16 doing so.

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Reported by the Committee on Legal Affairs
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5/23/85

(Filing No. H-177)