

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 760

H.P. 562

House of Representatives, March 14, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative PARADIS of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-NINE

An Act to Permit Property Managers to Appear on Behalf of Owners
of Residential Dwelling Units.



1 **Be it enacted by the People of the State of Maine as follows:**

3 **Sec. 1. 4 MRSA §807, first ¶, as repealed and replaced by PL**
4 **1987, c. 737, Pt. C, §§4 and 106, is repealed and the following**
5 **enacted in its place:**

7 No person may practice law or hold that person out to
8 practice law within the State or before its courts, or demand or
9 receive any remuneration for those services rendered in this
10 State, unless that person has been admitted to the bar of this
11 State and has complied with section 806-A, or unless that person
12 has been admitted to try cases in the courts of this State under
13 section 802. Any person who practices law in violation of these
14 requirements is guilty of the unauthorized practice of law, which
15 is a Class E crime. This section shall not be construed to apply
16 to practice before any Federal Court by any person admitted to
17 practice therein; nor to a person pleading or managing that
18 person's own cause in court; nor to the officer or employee of a
19 corporation, partnership, sole proprietorship or governmental
20 entity, who is not an attorney, but is appearing for that
21 organization in an action cognizable as a small claim under Title
22 14, chapter 738; nor to a person who is not an attorney, but is
23 representing a municipality under Title 30-A, section 2671,
24 subsection 3; section 4221, subsection 2; section 4506,
25 subsection 1; or Title 38, section 441, subsection 2; nor to a
26 person who is not an attorney, but is representing the Department
27 of Environmental Protection under Title 38, section 342,
28 subsection 7; nor to a person who is not an attorney, but is
29 representing the Bureau of Employment Security or the Bureau of
30 Taxation under section 807-A; nor to a person who is not an
31 attorney, but is designated as a property manager by a landlord
32 when pursuing an eviction action against a residential tenant
33 under Title 14, section 6001. In all proceedings, the fact, as
34 shown by the records of the Board of Overseers of the Bar, that
35 that person is not recorded as a member of the bar shall be prima
36 facie evidence of nonmembership of the bar licensed to practice
37 law in the State.

39 **Sec. 2. 14 MRSA §7484, sub-§6 is enacted to read:**

41 6. Representation. A landlord may designate any individual
42 of the landlord's choosing as a property manager to represent the
43 landlord in a small claims action involving the landlord's
44 residential dwelling units.

45

1

STATEMENT OF FACT

3

5 Many relatively simple legal actions can be handled by
7 knowledgeable individuals involved in the management of
residential rental dwelling units. This bill would authorize
landlords to designate property managers to represent them in
small claims actions and in evictions.