

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "**A**" to COMMITTEE AMENDMENT "A" to H.P. 1225, L.D. 1697, Bill, "An Act to Protect Tenant's Rights by Authorizing Municipalities to Escrow Certain Funds under the General Assistance Laws"

Amend the amendment in the 7th paragraph after the title by striking out all of subsection 3 and inserting in its place the following:

'3. Hearing. A landlord to whom the notice provided for by subsection 2 has been issued may request a hearing before the municipal officers within 10 days of the receipt of the notice. The municipal officers, or their designated representatives, acting as hearing officers, shall hold a hearing within 10 days of the request. Municipal code enforcement officers and other municipal officers responsible for enforcing health, housing, trash, sanitation and safety regulations may not act as hearing officers. A landlord's request for a hearing stays establishment of the escrow provided for by subsection 2. The only issues to be determined at the hearing are whether:

A. The landlord has been cited for repeated violations of municipal health, safety, housing, trash and sanitation regulations;

B. There was good cause to issue each citation; and

C. The violations were wholly caused by a tenant.

The hearing officers shall issue a written finding within 2 days of the closing of the hearing. If the hearing officers find that the landlord was not cited for repeated violations, that there was not good cause to issue the citations or that the violations were wholly caused by a tenant, the general assistance payments for rent shall not be placed in escrow.'

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1225,
L.D. 1697

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3 Further amend the amendment by inserting before the 8th
paragraph after the title the following:

5 'Further amend the bill in section 5 in that part designated
7 "~~§4325.~~" in subsection 4 in the first 2 lines by striking out
"~~municipal officers or their designees~~" and inserting in their
9 place the following: 'hearing officers'

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13 **STATEMENT OF FACT**

15 This amendment clarifies that code enforcement officers and
17 other municipal officers responsible for enforcement of health,
19 housing, trash, sanitation and safety regulations may not act as
hearing officers in a hearing regarding escrow of general
assistance funds.

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Filed by Rep. Priest of Brunswick
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House
6/16/89

(Filing No. H-601)