

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2078

S.P. 814

In Senate, January 4, 1990

Reported by Senator ESTES of York for the Study Commission on Manufactured Housing pursuant to Private & Special Law 1987, chapter 139.

Reference to the Committee on Legal Affairs suggested and ordered printed pursuant to Joint Rule 18.

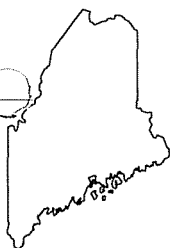
A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Prevent Retaliatory Evictions of Mobile Park Tenants.



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

4 10 MRSA §9097, sub-§1-A is enacted to read:

6 1-A. Retaliation. The court may not order the termination
8 of any tenancy if the tenant proves that the eviction action is
10 primarily in retaliation for:

12 A. The tenant's participation in establishing, or
14 membership in, an organization concerned with
16 landlord-tenant relationships; or

18 B. The tenant's assertion of any right under this chapter.

20 **STATEMENT OF FACT**

22 This bill is a unanimous final recommendation of the
24 Manufactured Housing Commission, established by Private and
26 Special Law 1987, chapter 139.

28 The bill clarifies that mobile home park tenants are
30 protected from evictions based on retaliation for organizing or
32 belonging to a tenants' organization, or asserting any right
34 provided by laws governing mobile home parks, such as the
warranty of habitability. A similar protection is provided
tenants in other forms of rental housing in the Maine Revised
Statutes, Title 14, section 6001, subsection 3. Unlike the Title
14 provision, this bill requires a tenant to show that the
eviction was retaliatory in nature. There is no presumption of
retaliation.