

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 524

H.P. 370

House of Representatives, February 11, 1991

Reference to the Committee on Legal Affairs suggested and ordered printed.

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

EDWIN H. PERT, Clerk

Presented by Representative O'DEA of Orono.  
Cosponsored by Representative CAHILL of Mattawamkeag.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Prohibit the Charging of Rent in Advance by Landlords.**

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(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted  
as emergencies; and

4  
Whereas, it is in the best interests of the State to ensure  
6 adequate housing for its citizenry; and

8  
Whereas, the practice of landlords charging prospective  
tenants several months' rent in advance of occupancy of a  
10 residential unit makes housing costs prohibitive to many tenants;  
and

12  
Whereas, in the judgment of the Legislature, these facts  
14 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
16 necessary for the preservation of the public peace, health and  
safety; now, therefore,

18  
Be it enacted by the People of the State of Maine as follows:

20  
14 MRSA §6032, as enacted by PL 1977, c. 359, is amended to  
22 read:

24 **§6032. Maximum security deposit**

26 No A lessor of a dwelling intended for human habitation  
shall may not require payment of any combination of a security  
28 deposit and rent in advance of occupancy equivalent to more than  
the rent for 2 3 months.

30  
Emergency clause. In view of the emergency cited in the  
32 preamble, this Act takes effect when approved.

34  
36 **STATEMENT OF FACT**

38 This bill prohibits landlords from charging tenants of  
residential rental units any combination of security deposit and  
40 advance rent that exceeds the equivalent of 3 months' rent.