# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

Legislative Document

No. 1215

H.P. 900

House of Representatives, April 8, 1993

An Act Concerning Repairs Performed by Rental Tenants.

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

JOSEPH W. MAYO, Clerk

Presented by Representative STEVENS of Orono. Cosponsored by Senator O'DEA of Penobscot and

Representatives: ADAMS of Portland, BOWERS of Washington, CATHCART of Orono, TREAT of Gardiner, Senators: CONLEY of Cumberland, HANDY of Androscoggin.

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

Sec. 1. 14 MRSA §6026, sub-§2, as enacted by PL 1981, c. 428,
§10, is amended to read:

Tenant action if landlord fails to act. If a landlord fails to maintain a rental unit in compliance with the standards of subsection 1 and the reasonable cost of compliance is less than \$100-or-an-amount-equal-to-1/2-the-monthly-rent,-whichever is--greater \$1,000, the tenant shall notify the landlord in writing of his the tenant's intention to correct the condition at the landlord's expense. If the landlord fails to comply within 14 days after being notified by the tenant, or as promptly as conditions require in case of emergency, the tenant may cause the work to be done in a werkmanlike professional manner with the same quality of materials as are being repaired. Installation and servicing of electrical, oil burner or plumbing equipment shall must be by a professional licensed pursuant to Title 32. After submitting to the landlord an itemized statement, the tenant may deduct from kis the tenant's rent the actual and reasonable cost or the fair and reasonable value of the work, not exceeding the amount specified in this subsection.

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#### STATEMENT OF FACT

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This bill allows a tenant to make repairs up to \$1,000 to rental property and to deduct the amount of the repair from the rent.