

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1257

S.P. 461

In Senate, April 11, 1995

**An Act to Clarify That an Arrearage by a Federally Assisted Tenant
Applies Only to the Tenant's Share.**

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator CLEVELAND of Androscoggin.

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

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3 **Sec. 1. 14 MRSA §6002, sub-§1**, as amended by PL 1983, c. 398,
4 is further amended to read:

6 **1. Causes for 7-day notice of termination of tenancy.**
7 Notwithstanding any other provisions of this chapter, in the
8 event that the landlord can show, by affirmative proof, that the
9 tenant, the tenant's family or an invitee of the tenant has
10 caused substantial damage to the demised premises which that
11 the tenant has not repaired or caused to be repaired before the
12 giving of the notice provided in this subsection, has caused or
13 permitted a nuisance within the premises, has caused or permitted
14 an invitee to cause the dwelling unit to become unfit for human
15 habitation or has violated or permitted a violation of the law
16 regarding the tenancy, or when the tenant is 14 days or more in
17 arrears in payment of his rent, the tenancy may be terminated by
18 the landlord by 7 days' notice in writing for that purpose given
19 to the tenant, and in the event that the landlord or his the
20 landlord's agent has made at least 3 good faith efforts to serve
21 the tenant, that service may be accomplished by both mailing the
22 notice by first class mail to the tenant's last known address and
23 by leaving the notice at the tenant's last and usual place of
24 abode. If a tenant, who is 14 days or more in arrears in payment
25 of his rent, pays the full amount of rent due before the
26 expiration of the 7-days' notice in writing, that notice shall-be
27 is void. Payment or written assurance of payment through the
28 general assistance program, as authorized by the State or a
29 municipality pursuant to Title 22, chapter 1251, shall must be
30 given the same effect as payment in cash. For the purposes of
31 this section, if a tenant is a recipient of a federal rent
32 subsidy, the tenant is 14 days or more in arrears if the tenant
33 has not paid the tenant's share of the rent for the 14-day period.

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STATEMENT OF FACT

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39 This bill provides that, in calculating rent arrearages for
40 purposes of eviction, a tenant who is a recipient of a federal
rent subsidy must be considered in arrears if the tenant's share
of the rent has not been paid.