

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1164

S.P. 385

In Senate, February 9, 1999

**An Act to Clarify Landlord Access to Premises in Residential Tenancies.**

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator DAGGETT of Kennebec.

Cosponsored by Senator FERGUSON of Oxford, Representative: LABRECQUE of Gorham.

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

4 **Sec. 1. 14 MRSA §6025, sub-§§1 and 3, as enacted by PL 1981, c.**  
5 **428, §10, are amended to read:**

6 **1. Tenant obligations.** A tenant may not unreasonably  
7 withhold consent to the landlord to enter into the dwelling unit  
8 in order to inspect the premises, make necessary or agreed  
9 repairs, decorations, alterations or improvements, supply  
10 necessary or agreed services or exhibit the dwelling unit to  
11 prospective or actual purchasers, mortgagees, tenants, ~~workmen~~  
12 workers or contractors.

13 A tenant may not change the lock to the dwelling unit without  
14 giving notice to the landlord and giving the landlord a duplicate  
15 key within 48 hours of the change.

16  
17 **3. Remedy.** If a landlord makes an entry in violation of  
18 this section, makes a lawful entry in an unreasonable manner or  
19 makes repeated demands for entry otherwise lawful which ~~that~~ have  
20 the effect of harassing the tenant, the tenant shall ~~may~~ recover  
21 actual damages or \$100, whichever is greater, and obtain  
22 injunctive relief to prevent recurrence of the conduct, and if he  
23 the tenant obtains a judgment after a contested hearing,  
24 reasonable attorneys' attorney's fees.

25  
26 If a tenant changes the lock and does not provide the landlord  
27 with a duplicate key, in the case of emergency the landlord may  
28 gain admission through whatever reasonable means necessary and  
29 charge the tenant reasonable costs for any resulting damage. If  
30 a tenant changes the lock and refuses to provide the landlord  
31 with a duplicate key, the landlord may terminate the tenancy with  
32 a 7-day notice.

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35 **SUMMARY**

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37 **This bill clarifies a landlord's rights in cases where a**  
38 **tenant changes the lock to a dwelling without permission of the**  
39 **landlord.**  
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