

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 549

H.P. 404

House of Representatives, February 3, 2005

### **An Act To Expedite the Forcible Entry and Detainer Process in Nonpayment Cases**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MILLS of Farmington.

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

4 **Sec. 1. 14 MRSA §6001, sub-§5** is enacted to read:

6 5. Nonpayment of rent. If a tenant with a written lease  
8 receives a notice to quit for nonpayment of rent and has no  
10 defense for nonpayment, the tenant must escrow the amount of rent  
12 owed with the District Court in order to receive a hearing on the  
14 notice. If a tenant under this subsection fails to escrow to the  
16 District Court the amount of rent owed within 3 days after the  
18 expiration of the notice to quit, the court shall issue a writ of  
20 possession.

### 14 SUMMARY

16 This bill requires a tenant with a written lease who  
18 receives a notice to quit for nonpayment of rent and has no  
20 defense for nonpayment to place the amount of rent owed in escrow  
22 with the District Court in order to receive a hearing on the  
24 notice. If a tenant who receives a notice to quit for nonpayment  
does not place the amount of rent owned in escrow within 3 days  
after the expiration of the notice to quit, the court shall issue  
a writ of possession.