

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 29

H.P. 24

House of Representatives, January 5, 2009

**An Act To Amend the Landlord and Tenant Laws as They Pertain  
to Interest Paid on Mobile Home Park Tenant Security Deposits**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MAZUREK of Rockland.  
Cosponsored by Senator RECTOR of Knox.

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

2 **Sec. 1. 10 MRSA §9098, sub-§2, ¶B**, as enacted by PL 1987, c. 737, Pt. B, §1 and  
3 Pt. C, §106 and amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further  
4 amended to read:

5 B. A mobile home park operator shall return to a tenant the full security deposit  
6 deposited with the landlord by the tenant, ~~plus 4% annual interest~~ or, if there is actual  
7 cause for retaining the security deposit or any portion of it, the mobile home park  
8 operator shall provide the tenant with a written statement, itemizing the reasons for the  
9 retention of the security deposit or any portion of it, ~~within 21 days after the termination~~  
10 of the tenancy or the surrender and acceptance of the premises, whichever occurs first.

11 (1) The written statement itemizing the reasons for the retention of any portion of  
12 the security deposit must be accompanied by a full payment of the difference between  
13 the security deposit and the amount retained.

14 (2) The mobile home park operator is deemed to have complied with this section if  
15 the operator mails the statement and any payment required to the tenant's last known  
16 address.

17 (3) Nothing in this section precludes the mobile home park operator from retaining  
18 the security deposit for nonpayment of rent or nonpayment of utility charges which  
19 the tenant was required to pay directly to the mobile home park operator.

20 **SUMMARY**

21 This bill removes the requirement that a mobile home park owner pay 4% annual interest  
22 on security deposits that are returned to tenants.