

MAINE STATE LEGISLATURE

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125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 943

S.P. 289

In Senate, March 8, 2011

An Act To Amend the Laws Governing the Eviction of Residential Tenants

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

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator TRAHAN of Lincoln. (BY REQUEST)

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

2 **Sec. 1. 14 MRSA §6008, sub-§1**, as amended by PL 1997, c. 336, §2, is further
3 amended to read:

4 **1. Right to appeal.** Either party may appeal on questions of law from a judgment to
5 the Superior Court as in other civil actions. Either party may appeal on any issue triable
6 by right by a jury to a trial de novo in the Superior Court as provided in this section. The
7 ~~time for filing~~ defendant must file an appeal of within 7 days from the date the judgment
8 ~~of the District Court expires upon the issuance of the writ of possession pursuant to~~
9 ~~section 6005 or is entered.~~ The plaintiff must file an appeal within 30 days from the time
10 ~~the judgment is entered, whichever occurs first.~~

11 **SUMMARY**

12 This bill provides that the tenant in an eviction action has 7 days in which to appeal
13 the judgment. Current law allows the tenant to file an appeal until the writ of possession
14 is issued, which the court must issue 7 days after the judgment. This bill does not change
15 the requirement that the tenant must move out within 48 hours after being served with the
16 writ of possession.