

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1905

H.P. 1220

House of Representatives, May 9, 2023

An Act to Create a Residential Rental Unit Registry

Reference to the Committee on Labor and Housing suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ROEDER of Bangor.
Cosponsored by Senator DAUGHTRY of Cumberland and
Representatives: MASTRACCIO of Sanford, SKOLD of Portland, Senator: TIPPING of
Penobscot.

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

2 **Sec. 1. 14 MRSA §6001, sub-§7** is enacted to read:

3 7. **Failure to register.** A person required to register under section 6030-H may not
4 serve a notice to terminate under this section to a tenant for the nonpayment of rent if the
5 person has not registered the tenant's residential rental unit under section 6030-H. A person
6 may not serve a notice under this section for the nonpayment of rent sooner than 120 days
7 after the person has registered the unit of the tenant being served under section 6030-H. A
8 person who serves notice to a tenant in violation of this section commits a civil violation
9 for which a fine in the amount of 3 times the monthly rent of the tenant's residential rental
10 unit must be adjudged.

11 **Sec. 2. 14 MRSA §6004, sub-§2, ¶F**, as enacted by PL 2021, c. 316, §1, is
12 amended to read:

13 F. A statement that either party may request, or the court may at any time refer the
14 parties to, mediation on any issue; and

15 **Sec. 3. 14 MRSA §6004, sub-§2, ¶G**, as enacted by PL 2021, c. 316, §1, is
16 amended to read:

17 G. A court-approved form to request mediation; and

18 **Sec. 4. 14 MRSA §6004, sub-§2, ¶H** is enacted to read:

19 H. If the tenant's residential rental unit is not subsidized under Title 30-A, chapter 201,
20 a statement that a person may not serve notice to terminate for nonpayment of rent if
21 the person has not registered the unit of the tenant with the state rental unit registry or
22 municipal rental unit registry and that a person who violates this provision commits a
23 civil violation for which a fine in the amount of 3 times the monthly rent of the tenant's
24 residential rental unit must be adjudged.

25 **Sec. 5. 14 MRSA §6030-H** is enacted to read:

26 **§6030-H. Residential rental unit registry**

27 **1. Residential rental unit registry.** The Department of Economic and Community
28 Development, referred to in this section as "the department," shall maintain a publicly
29 accessible residential rental unit registry in which an owner of a residential rental unit in
30 the State shall register annually with the department. For purposes of this section,
31 "residential rental unit" means a unit of housing rented for residential purposes for a period
32 of more than 30 days.

33 **2. Information required.** An owner of a residential rental unit in the State shall upon
34 registration under subsection 1 provide to the department the following information
35 existing at the time of registration:

36 A. The name and contact information of the owner of the residential rental unit;

37 B. The name and contact information of the manager or management company for the
38 residential rental unit or registered agent of the owner if the owner is not directly
39 involved with the administration or management of the residential rental unit;

1 C. The name and contact information of any entity registered with the Secretary of
2 State or with another jurisdiction that has a parental or subsidiary relationship with the
3 owner of the residential rental unit;

4 D. Emergency contact information if different than paragraph A or B;

5 E. The physical address of the residential rental unit for enhanced 9-1-1 services as
6 defined in Title 25, section 2921, subsection 6 for purposes of Title 25, chapter 352;

7 F. The mailing address of the residential rental unit if different than the physical address
8 under paragraph D;

9 G. The total number of residential rental units on each property, including the number
10 of occupied units and vacant units;

11 H. The number of residential rental units on each property not available for occupancy,
12 whether under construction or under renovation; and

13 I. The monthly rent collected for the residential rental unit.

14 **3. Registration fee.** For an owner of 50 or more residential rental units in the State,
15 including residential rental units owned by an entity that has a parental or subsidiary
16 relationship with the owner, if a residential rental unit is not determined to be affordable
17 under the fair market rent for the area as established by the United States Department of
18 Housing and Urban Development pursuant to 24 Code of Federal Regulations, Section
19 888.115, the initial registration fee is \$50 per unit and the annual renewal registration fee
20 is \$25 per unit.

21 **4. Department responsibilities.** The department shall:

22 A. Provide a publicly accessible online portal or form for an owner of a residential
23 rental unit to submit the registration information under subsections 1 and 2;

24 B. Provide a publicly accessible online calculator for an owner of a residential rental
25 unit to assess whether a residential rental unit's rent is a fair market rent under
26 subsection 3;

27 C. Provide a publicly accessible searchable online database of residential rental units;

28 D. Develop a process by which a municipality that maintains a residential rental
29 property registry provides registry data to the department;

30 E. Develop a process by which a municipality can receive residential rental unit registry
31 data pertaining to that municipality from the department; and

32 F. In any pamphlet, publication or publicly accessible website of the department listing
33 or explaining tenants' rights, provide an explanation of the rights of a tenant regarding
34 the registry under section 6001, subsection 2 and section 6002, subsection 5.

35 **5. Municipality responsibilities.** A municipality that maintains a residential rental
36 property registry shall provide registry data to the department in a form or manner as
37 determined by the department.

38 **6. Housing authority responsibilities.** A housing authority under Title 30-A, chapter
39 201 shall provide residential rental unit and tenant data on housing provided or subsidized
40 by the authority to the department in a form and manner as determined by the department.

1 **7. Exemptions.** An owner of a residential rental unit is not required to register the unit
2 under this section if:

3 A. The owner provides the residential rental unit as subsidized housing under Title
4 30-A, chapter 201; or

5 B. The owner has registered the residential rental unit under a municipal residential
6 rental property registry.

7 **8. Rules.** The department shall adopt rules to carry out the purposes of this section.
8 Rules adopted pursuant to this subsection are routine technical rules under Title 5, chapter
9 375, subchapter 2-A.

10 SUMMARY

11 This bill creates a residential rental unit registry administered by the Department of
12 Economic and Community Development in which all residential property owners must
13 register all residential rental units except for units provided as subsidized housing or
14 registered on a municipal registry. A municipality may receive data from the registry
15 regarding residential rental units in that municipality and, if the municipality maintains a
16 residential rental property registry, is required to provide registry data to the department. A
17 residential landlord may not serve notice to terminate a tenant for nonpayment of rent if the
18 tenant's residential rental unit is not registered as required and may not serve the tenant
19 with a notice to terminate for nonpayment of rent less than 120 days after registering; in
20 either case the owner commits a civil violation for which a fine in the amount of 3 times
21 the monthly rent of the unit must be adjudged. A housing authority is required to provide
22 residential rental unit and tenant data on housing provided or subsidized by the authority
23 to the department. The department is also required to list the rights of tenants regarding the
24 registry in any pamphlet, publication or publicly accessible website of the department
25 listing or explaining tenants' rights.