

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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NINETY - SECOND LEGISLATURE

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**Legislative Document**

**No. 1219**

H. P. 1505

House of Representatives, July 10, 1946

Referred to the Committee on Judiciary, sent up for concurrence and 1,500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Donahue of Biddeford.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-SIX

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**AN ACT Relating to Rent Control.**

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**Emergency preamble.** Whereas, by the expiration on June 30, 1946 of the federal law, rents fixed under said act by the office of price administration for dwelling houses, apartments, flats and rooms in rooming houses and hotels became free from the control thereof by the office of price administration; and

Whereas, an emergency has been created by the lapse of said act due to the acute shortage of dwelling houses, housing accommodations and hotel accommodations, which emergency has been created by war, the effects of war and the aftermath of hostilities, and congestion by returning veterans and their families; and

Whereas, rentals have been increased and occupants have been threatened to be removed from their present abodes unless they agree to pay such increase in rent; and

Whereas, it is necessary to prevent exactions of unjust, unreasonable and oppressive rents and to forestall profiteering, speculations and manipulative practices to obtain such increase or removal of tenants by owners of housing and rooming accommodations; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of section 16, part third, article IV of the constitution of Maine as enacted by article XXXI, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Rent control.** All persons, partnerships, associations and corporations, either as owners or in control of dwelling houses, apartment houses, flats, rooms, rooming houses and hotel rooms, are hereby prohibited from demanding or receiving for rents or accommodations therein rentals in excess of that paid or charged on June 30, 1946.

**Sec. 2. Actions.** No action shall be commenced or maintained in any court of the state for the eviction or removal of a tenant occupying such accommodations on June 30, 1946 so long as he pays the rent which prevailed on June 30, 1946 in accordance with the agreement of hiring; provided, however, that evictions or removals of tenants may be allowed under the same terms and conditions as were previously permitted under the rules and regulations issued by the area rent director of the office of price administration for the Portland area.

**Sec. 3. Redress.** Any tenant who has been charged or has paid rentals in excess of the rate as established by the provisions of section 1 shall have the right to commence or maintain in the courts of the state an action for treble damages for such excess rate, and attorneys' fees.

**Sec. 4. Jurisdiction.** Municipal courts shall have concurrent jurisdiction with the superior court in prosecutions under the provisions of this act.

**Sec. 5. Penalty.** Whoever violates the provisions of this act shall be punished by a fine of not less than \$500, or by imprisonment for not less than 6 months, or by both such fine and imprisonment.

**Sec. 6. Enforcement.** The attorney-general of the state and the county attorneys of the several counties in the state shall be charged with the duty of prosecuting any violations of the provisions of this act.

**Sec. 7. Limitation.** No violations of the provisions of this act between June 30, 1946 and the effective date of this act shall be prosecuted.

**Sec. 8. Duration.** The provisions of this act shall extend only until June 30, 1947.

**Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.