

An Act To Increase Notification Time Periods for Rent Increases and Terminations of Tenancies at Will

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

Sec. 1. 14 MRSA §6002, first ¶, as amended by PL 2015, c. 293, §6, is further amended to read:

Tenancies at will must be terminated by a tenant by a minimum 30 days' notice and a landlord by a minimum of 30~~60~~ days' notice, except as provided in subsections 2 and 4, in writing for that purpose given to the other party, but if the landlord or the landlord's agent has made at least 3 good faith efforts to serve the tenant, that service may be accomplished by both mailing the notice by first class mail to the tenant's last known address and by leaving the notice at the tenant's last and usual place of abode. In cases when the tenant has paid rent through the date when a landlord's ~~30-day~~60-day notice would expire, the notice must expire on or after the date through which the rent has been paid. Either party may waive in writing the notice at the time the notice is given, and at no other time prior to the giving of the notice. A termination based on a landlord's ~~30-day~~60-day notice is not affected by the receipt of money, whether previously owed or for current use and occupation, until the date a writ of possession is issued against the tenant during the period of actual occupancy after receipt of the notice. When the tenancy is terminated, the tenant is liable to the process of forcible entry and detainer without further notice and without proof of any relation of landlord and tenant unless the tenant has paid, after service of the notice, rent that accrued after the termination of the tenancy. These provisions apply to tenancies of buildings erected on land of another party. Termination of the tenancy is deemed to occur at the expiration of the time fixed in the notice. A landlord's ~~30-day~~60-day notice under this paragraph and a 7-day notice under subsection 2 may be combined in one notice to the tenant.

Sec. 2. 14 MRSA §6015, as amended by PL 2003, c. 259, §1, is further amended to read:

§ 6015. Notice of rent increase

Rent charged for residential estates may be increased by the lessor only after providing at least ~~45~~75 days' written notice to the tenant. A written or oral waiver of this requirement is against public policy and is void. Any person in violation of this section is liable for the return of any sums unlawfully obtained from the lessee, with interest, and reasonable attorney's fees and costs.

SUMMARY

This bill increases from 30 to 60 days the notice that a landlord must provide to terminate a tenancy at will. It also increases from 45 to 75 days the notice that a landlord must provide to increase the rent of a residential tenant.