

HB 1908 -- LANDLORD TENANT ACTIONS

SPONSOR: Rowland

This bill changes the laws regarding landlord tenant actions. In its main provisions, the bill:

- (1) Currently, if a service officer fails to deliver possession of the premises to the landlord within 7 days of the delivery of the writ to the officer, a landlord may, within 60 days and in the presence of a municipal or county law enforcement officer, break and remove locks; enter and take possession of the premises; and remove any household goods, furnishings, fixtures, or other personal property left in or at the premises; this bill shortens the time to within 30 days;
- (2) Repeals a provision that requires the landlord to mail notice of the landlord's belief of abandonment of the premises to the last known address of the tenant by both first class mail and certified mail, return receipt requested;
- (3) Specifies that a court date must be for a specific day, not more than 14 business days from the date of the summons currently, the court date must be not more than 21 business days from the date of the summons;
- (4) Currently, during a stay of execution of an order a tenant must pay the subsequent rent within 10 days after the subsequent rent becomes due, this bill shortens the time to within three days of the due date;
- (5) Repeals a provision requiring a copy of the summons to be delivered to the tenant at the tenant's last known address;
- (6) Specifies that after a money judgment has been entered in the landlord's favor, the tenant must pay the judgment within five days of the judgment with certified funds;
- (7) Requires the tenant to pay attorney fees, approved by the court, that were incurred by the landlord for proceedings against the tenant if the landlord prevails in the action; and
- (8) Specifies that the landlord may be compensated, in an amount determined by the court, for loss of income during the time of the eviction.