

HB 181 -- Landlord-Tenant Actions

Sponsor: Stevenson

This bill exempts landlords, or any of their representatives, from liability for any loss or damage to household goods, furnishings, fixtures, or personal property resulting from the removal or disposal of the property upon the enforcement of a judgment granting possession of the premises except for willful, wanton, or malicious acts or omissions. If any property bears a label or mark identifying it as the property of a third party, the landlord must make a reasonable effort to notify the third party to remove the property within five business days of the date of the execution to recover the property.

No municipality or utility company supplying an occupant of a premise with a utility service can hold the owner of the premise liable for the occupant's delinquent utility payment. The municipality or utility company can recover reasonable attorney fees in a civil suit against the occupant.

Currently, when personal service cannot be obtained in an unlawful detainer or rent and possession case, the court must proceed to hear the case where a copy of the summons and complaint was posted on the premises and also mailed to the last known address of the tenant by ordinary mail. The bill eliminates the ordinary mail notice requirements and makes posting alone sufficient to hear the case as if service had been made. The first-class and certified mail requirements are also eliminated for the written notice provisions when a landlord believes the premises are abandoned and he or she intends to remove property of the tenant.

The amount of time a tenant's rent may be in arrears before a landlord may take action to recover the possession of the demised property is reduced from six months to one month.