

H.772 Summary - As Passed by House

Notices

- Expands what counts as “actual notice” to include email, mailing, posting on door, sheriff service
- Extends presumption of receipt increases from 3 to 5 days
- Requires all termination notices to include a reason and, in many cases, a supporting affidavit

Rent & Fees

- Limits rent increases to once per 12-month period (does not apply after property purchase)
- Prohibits application fees; allows actual costs of background/credit checks
 - Landlords must provide applicants with a copy of a background/credit check
 - No fee allowed if applicant provides a credit report dated within 90 days
- Caps security deposits at no more than 2 month’s rent statewide.
 - Separate pet deposits allowed (not for service/assistance animals)
 - Existing leases with higher deposits are grandfathered
- For no-cause evictions, tenant may request return of half of security deposit 45 days before move out

Tenant Protections

- A landlord cannot retaliate against tenant who has taken any legal action authorized by law against the landlord
- Adds protection for tenants who contact law enforcement in domestic abuse situations
- Prohibits eviction based solely on seeking medical assistance for a drug overdose or being present at or near an overdose scene
- Allows tenants to defeat nonpayment eviction if there is a serious health or safety violation and the landlord has not made a reasonable effort to repair it

Terminations

- Shorter notice periods:
 - Nonpayment eviction notice from 14 to 10 days
 - Lease violations from 30 to 21 days
 - Threats to others’ health & safety or damage from 14 to 5 days
- Clarifies allowable eviction causes due to violence, property damage, and threats to health and safety
 - Removes broad “criminal activity” as a standalone basis
- Requires 90 days’ notice for any no cause termination of lease including:
 - Sale of property
 - Owner or family move-in
 - Withdrawal from rental market
 - Major renovations (provides tenant with right of first refusal after renovations)

Trespass

- Allows landlords to issue trespass orders against guests who violate lease terms, violate laws, with tenant consent

Court Process

- Courts may require full rent payment into court (replacing partial payment option)
- Allows expedited eviction proceedings for threats to others’ health and safety
- After eviction, landlords may immediately dispose of tenant property upon regaining possession (current law requires a 15-day waiting period)
- Creates new 90 day period to set a hearing for nonpayment and breach of lease cases