

Introduced: 3/2/77
Referred: Commerce

1 IN THE SENATE

BY THE COMMERCE COMMITTEE

2 *CS* SENATE BILL NO. 203

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to landlord remedies."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 34.03 is amended by adding a new section to read:

9 Sec. 34.03.225. REMEDY FOR TENANT'S FAILURE TO PROVIDE UTILITIES.

10 (a) If (1) a tenant fails to provide to the dwelling unit a service for
11 which he assumed responsibility; (2) the service is terminated by the
12 supplier because of a failure of the tenant; and (3) the dwelling unit
13 is placed in danger of loss or damage from fire or freezing because of
14 the termination of service, the landlord may terminate the rental agree-
15 ment and recover possession of the dwelling unit as provided in (b) of
16 this section.

17 (b) If the conditions in (a) of this section are met, the land-
18 lord may terminate the rental agreement by giving written notice to the
19 tenant of the failure to provide the service and of the landlord's
20 intention to terminate the rental agreement effective 24 hours after the
21 notice is given to the tenant unless the tenant corrects the failure to
22 provide the service within the 24-hour period. If the tenant does not
23 correct the failure to provide the service within the 24-hour period,
24 the tenancy terminates unless the landlord agrees to allow the tenant
25 to remain in occupancy, and the landlord may immediately recover
26 possession of the dwelling unit.

27 (c) As used in this section,

28 (1) "giving written notice to the tenant" means delivering
29 written notice in hand to the tenant or to a person of suitable age and

1 discretion within the dwelling unit or, if the tenant is unavailable and
2 no person of suitable age and discretion is within the dwelling unit,
3 posting written notice on the front door of the dwelling unit;

4 (2) "service" means electricity, fuel for heating, or water;

5 (3) "supplier" includes a public utility or private business
6 which is engaged on a regular basis in supplying a service to dwelling
7 units.

8 * Sec. 2. AS 34.03.250(b) is amended to read:

9 (b) Notwithstanding any other provision of this chapter, the
10 common law remedy of the landlord of distraint [DISTRAINT] for unpaid
11 rent is recognized and may be exercised in this state [ABOLISHED].

12 * Sec. 3. This Act applies prospectively only and not retroactively.
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