

Introduced: 1/16/79
Referred: Commerce and
Judiciary

1 IN THE SENATE

BY BRADLEY

2 SENATE BILL NO. 38

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH 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 wilful or negligent failure of the tenant; and (3)
13 the dwelling unit is placed in danger of loss or damage from fire or
14 freezing because of the termination of service, the landlord may ter-
15minate the rental agreement and recover possession of the dwelling unit
16 as provided in (b) of this section.

17 (b) If the conditions in (a) of this section are met, the landlord
18 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 to
25 remain in occupancy, and the landlord may immediately recover possession
26 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.

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