

1 IN THE HOUSE

BY ABOOD

2

HOUSE BILL NO. 1

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to landlords and tenants."

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

8 * Section 1. AS 09.45.090 is amended by adding a new paragraph to read:

9 (4) when, after a notice to terminate the tenancy as pro-
10 vided in AS 34.03.290 or AS 34.03.295 with reference to termination of
11 a periodic tenancy, a person continues in possession of a dwelling
12 unit after expiration of the time for determining the tenancy.

13 * Sec. 2. AS 34.03.290(b) is amended to read:

14 (b) The landlord or the tenant may terminate a month to month
15 tenancy by a written notice given to the other at least 45 [30] days
16 before the termination [RENTAL DUE] date specified in the notice.

17 * Sec. 3. AS 34.03.290(c) is amended to read:

18 (c) If the tenant remains in possession without the landlord's
19 consent after expiration of the term of the rental agreement or after
20 its termination, the landlord may bring an action for possession and
21 recovery of actual damages. If [IF] the tenant's holdover is wilful
22 and not in good faith the landlord, in addition, may recover an amount
23 not to exceed one and one-half times the actual damages. If the
24 landlord consents to the tenant's continued occupancy, AS 34.20.020
25 applies.

26 * Sec. 4. AS 34.03.310 is amended by adding a new subsection to read:

27 (f) A landlord is presumed to have violated (a) of this section
28 if the landlord increases rent, decreases service, or brings or
29 threatens to bring an action for possession within 60 days after a

1 tenant has engaged in an action listed under (a)(1) - (4).