

Offered: 2/15/83
Referred: Judiciary

Original sponsor: Abood

1 IN THE HOUSE BY THE LABOR AND
COMMERCE COMMITTEE
2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 1 (L&C)
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 with reference to termination of a periodic
11 tenancy, a person continues in possession of a dwelling unit after
12 expiration of the time for determining the tenancy.
13 * Sec. 2. AS 34.03.270 is amended by adding a new subsection to read:
14 (b) If the rental agreement is terminated by the tenant and the
15 tenant fails to provide the notice required under AS 34.03.290(a) or
16 (b) the landlord may recover an amount not to exceed one and one-half
17 times the actual damages.
18 * Sec. 3. AS 34.03.290(b) is amended to read:
19 (b) The landlord or the tenant may terminate a month to month
20 tenancy by a written notice given to the other at least 45 [30] days
21 before the termination [RENTAL DUE] date specified in the notice.
22 * Sec. 4. AS 34.03.290(c) is amended to read:
23 (c) If the tenant remains in possession without the landlord's
24 consent after expiration of the term of the rental agreement or after
25 its termination, the landlord may bring an action for possession and
26 recovery of actual damages. If [IF] the tenant's holdover is wilful
27 or [AND] not in good faith the landlord, in addition, may recover an
28 amount not to exceed one and one-half times the actual damages. If
29 the landlord consents to the tenant's continued occupancy,

1 AS 34.20.020 applies.

2 * Sec. 5. AS 34.03.310 is amended by adding a new subsection to read:

3 (f) A landlord is presumed to have violated (a) of this section
4 if the landlord increases rent, decreases service, or brings or
5 threatens to bring an action for possession within 60 days after a
6 tenant has engaged in an action listed under (a)(1) - (4).