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722

COMMITTEE REPORT

HOUSE

FURTHER: JUDICIARY

(5)

2/5/82

Date: _____

Mr. Speaker:

The Committee on LABOR & COMMERCE has had HB 722

"An Act relating to landlord remedies."

under consideration and ~~(a majority of the committee)~~ ~~(the committee)~~ reports it back with the following recommendations:

do pass do not pass

do pass with attached amendments(s)

replace with CS for HB 722 (L-C) same title new title

and recommends _____

AND attaches a "Letter of Intent" New Fiscal Note

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Larry Martin

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Bill Rogers Do Not Pass
Bill Bylaws do Rec

Larry Martin
CHAIRMAN

Acting

Sponsor ⁸⁻¹⁻⁸² ~~8-1-82~~ ^{9:00} ~~9:00~~ Romana Bunker - ^{called} ~~called~~ like
Aide Dave ^{called} ~~called~~ like
to see bill ~~referred~~.

Date Introduced 2-5-82

" Rec'd. 2-5-82

Referrals - Judiciary
Comm. hearing 3-8-82 Sub Comm of Reform & Revision to study & report back. CS adopted.

" active CS sent to Chief Clerk!

office

Introduced: 2/5/82
Referred: Labor & Commerce and
Judiciary

1 IN THE HOUSE

BY METCALFE

2 HOUSE BILL NO. 722

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND 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 new sections to read:

9 Sec. 34.03.225. ~~REMEDY FOR DAMAGE~~ *REMEDY FOR DAMAGE* *other remedies*
10 *fair destruction property* If a tenant vandalizes or
11 deliberately causes unreasonably excessive damage to the dwelling unit,
12 the landlord may terminate the rental agreement and immediately recover
13 possession of the dwelling unit without regard to AS 34.03.140 or any
14 other requirements of this chapter relating to access.

15 Sec. 34.03.226. REMEDY FOR BAD CHECKS. (a) If a tenant issues a
16 check in payment of rent for a dwelling unit and that check is not
17 honored by the drawee, the landlord may terminate the rental agreement
18 and recover possession of the dwelling unit as provided in (b) of this
19 section.

20 (b) If the conditions in (a) of this section are met, the landlord
21 may terminate the rental agreement by giving written notice to the
22 tenant of the dishonored check and of the landlord's intention to termin-
23 ate the rental agreement effective four days after the notice is given
24 unless the tenant immediately tenders the amount due. If the tenant
25 does not tender the amount due within the four-day period, the tenancy
26 terminates and the landlord may immediately recover possession of the
27 dwelling unit without regard to AS 34.03.140 or any other requirements
28 of this chapter relating to access.

29 Sec. 34.03.227. REMEDY FOR DISTURBANCES. (a) If a tenant conducts
himself or allows other persons on the premises to conduct themselves in

1 a manner that unreasonably disturbs his neighbors' peaceful enjoyment of
2 the premises, and if that disturbance is verified by a signed complaint
3 from at least one-half of his neighbors in dwelling units immediately
4 adjacent to or above or below the tenant's dwelling unit, the landlord
5 may terminate the rental agreement and recover possession of the dwell-
6 ing unit as provided in (b) of this section.

7 (b) If the conditions in (a) of this section are met, the landlord
8 may terminate the rental agreement by giving written notice to the
9 tenant of the disturbance and complaint and of the landlord's intention
10 to terminate the rental agreement effective four days after the notice
11 is given unless the tenant ceases the disturbing conduct within the
12 four-day period. If the tenant does not cease that conduct within the
13 four-day period, the tenancy terminates and the landlord may immediately
14 recover possession of the dwelling unit without regard to AS 34.03.140
15 or any other requirements of this chapter relating to access. If the
16 tenant ceases the disturbing conduct within the four-day period, but
17 then begins that or similar conduct after the four-day period expires,
18 and the conduct is verified as provided in (a) of this section, the
19 tenancy terminates and the landlord may recover possession of the dwell-
20 ing unit without regard to AS 34.03.140 or any other requirements of
21 this chapter relating to access by giving written notice of termination
22 to the tenant effective 24 hours after the notice is given.
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^{Budget}
60 days - include Leg. A Budget report

Present also Rep D Pandolph.

On HB 704 - add in "Proposed Sla

Date 1

INTRODUCTION OF BILLS (House)

Landlord
Remedies

HOUSE BILL NO. 722, by Rep. Metcalfe. Offers legal remedies to landlords for damages, bad checks and disturbances by tenants:

--in the case of excessive damage or vandalism, the landlord may terminate the rental agreement and immediately take over the premises without regard to statute which limits access without court order or if the tenant is absent for over a week.

--in the case of a bad check, the landlord may terminate the rental agreement and take possession of the rental by giving written notice to the tenant. Termination of agreement is effective after four days unless the tenant immediately tenders the amount due.

--the remedy outlined in the case of a disturbance provides that if the tenant or other persons on the premises conduct themselves in a manner that unreasonably disturbs his neighbors' peaceful enjoyment of the premises, and the disturbance is verified by a single complaint from at least one-half of his neighbors in units immediately adjacent to the tenant's unit, the landlord may terminate the rental agreement by giving written notice of his intention to terminate effective four days after notice is given unless tenant ceases the disturbing conduct within the four-day period. If the tenant does not cease, the tenancy terminates. If disturbances cease for four days, but resume, the tenancy terminates effective 24 hours after notice is given by the landlord.

Does not provide for an effective date.

Introduced February 5 and referred to Labor & Commerce, then to Judiciary.