

Requested by Senator BURDICK

**PROPOSED AMENDMENTS TO
B-ENGROSSED HOUSE BILL 2004**

- 1 On page 1 of the printed B-engrossed bill, delete lines 8 and 9.
2 In line 10, delete “(b)” and insert “(a)”.
3 In line 12, delete “(c)” and insert “(b)”.
4 On page 2, line 15, restore “year” and delete “nine months”.
5 In line 35, delete “nine months” and insert “year”.
6 In line 41, delete “Except as provided in subsection (9) of this section,”.
7 On page 3, line 9, delete “expiration date of the fixed term; or” and insert
8 “specified ending date for the fixed term;”.
9 In line 12, delete the period and insert “; or
10 “(C) The tenant may enter a month-to-month tenancy upon reaching the
11 specified ending date for the fixed term by giving the landlord notice in
12 writing not less than 45 days prior to the specified ending date for the fixed
13 term that the tenant desires to enter into a month-to-month tenancy.”.
14 After line 16, insert:
15 “(e) If the landlord gives the tenant notice as described in paragraph
16 (c)(B) or (C) of this subsection and the tenant fails to give the landlord no-
17 tice that the tenant desires to renew the fixed term tenancy or enter into a
18 month-to-month tenancy, the fixed term tenancy will terminate without re-
19 quiring further notice upon reaching the specified ending date for the fixed
20 term.”.
21 Delete lines 30 through 45.

1 On page 4, delete lines 1 through 7 and insert:

2 “(c) The landlord intends in good faith to undertake repairs or reno-
3 vations that will cause the dwelling unit to be unsafe or unfit for occupancy
4 during the repairs or renovations.

5 “(d) The dwelling unit is unsafe or unfit for occupancy and the landlord
6 intends in good faith to undertake repairs within a reasonable time to cor-
7 rect the condition of the dwelling unit.”.

8 In line 8, delete “(g)(A)” and insert “(e)(A)”.

9 Delete lines 12 through 18 and insert:

10 “(6) Notwithstanding subsection (5) of this section, the landlord may ter-
11 minate a month-to-month tenancy under subsection (3)(c)(B) of this section
12 at any time by giving the tenant notice in writing not less than 30 days prior
13 to the date designated in the notice for the termination of the tenancy if:

14 “(a) The landlord:

15 “(A) Accepts an offer to purchase the dwelling unit separately from any
16 other dwelling unit from a person who intends in good faith to occupy the
17 dwelling unit as the person’s primary residence; and

18 “(B) Provides the notice, and written evidence of the offer to purchase the
19 dwelling unit, to the tenant not more than 120 days after accepting the offer
20 to purchase; or

21 “(b) The landlord:

22 “(A) Intends in good faith to list the dwelling unit for sale separate from
23 any other dwelling unit;

24 “(B) Reasonably determines that the dwelling unit must be unoccupied to
25 facilitate the sale; and

26 “(C) Provides the tenant with a copy of the real estate listing for the
27 dwelling unit or an agreement with a real estate agent to list the dwelling
28 unit for sale.”.

29 In line 25, after “landlord” insert “who is an owner”.

30 In line 27, delete “(4)(b)” and insert “(4)(b)(A)”.

1 In line 30, delete “(4)(b)” and insert “(4)(b)(A)”.

2 In line 39, after the first “is” insert “a month-to-month tenancy”.

3 On page 5, delete lines 3 through 11 and insert:

4 “(10) If a landlord terminates a tenancy in violation of subsection

5 (3)(c)(B), (5), (6) or (7) of this section:

6 “(a) The landlord shall be liable to the tenant in an amount equal to two

7 months’ rent or twice the actual damages suffered by the tenant as a result

8 of the tenancy termination, whichever is greater; and

9 “(b) The tenant has a defense to an action for possession by the

10 landlord.”.

11 On page 7, line 42, delete “without requiring further notice to effect the

12 ter-”.

13 In line 43, delete “mination”.

14 On page 13, line 2, after “(5)” insert “or (6)”.

15 In line 33, delete “30th” and insert “60th”.

16 _____