

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

‘**Sec. 1. 14 MRSA §6021, sub-§6-A** is enacted to read:

6-A. Agreement regarding provision of heat. A landlord and tenant under a lease or a tenancy at will may enter into an agreement for the landlord to provide heat at less than 68 degrees Fahrenheit. The agreement must:

A. Be in a separate written document, apart from the lease, be set forth in a clear and conspicuous format, readable in plain English and in at least 12-point type, and be signed by both parties to the agreement;

B. State that the agreement is revocable by either party upon reasonable notice under the circumstances;

C. Specifically set a minimum temperature for heat, which may not be less than 62 degrees Fahrenheit; and

D. Set forth a stated reduction in rent that must be fair and reasonable under the circumstances.

An agreement under this subsection may not be entered into or maintained if a person over 65 years of age or under 5 years of age resides on the premises. A landlord is not responsible if a tenant who controls the temperature on the premises reduces the heat to an amount less than 68 degrees Fahrenheit as long as the landlord complies with subsection 6, paragraph B or if the tenant fails to inform the landlord that a person over 65 years of age or under 5 years of age resides on the premises.’

SUMMARY

This amendment replaces the bill. The amendment allows a landlord and tenant to agree for the landlord to provide heat at less than 68 degrees Fahrenheit but no lower than 62 degrees Fahrenheit if the agreement is in a separate written document, includes a provision for revocation with reasonable notice by either party and provides for a fair and reasonable reduction in rent. The amendment clarifies that a landlord and tenant may not enter into such an agreement if someone older than 65 years of age or younger than 5 years of age resides on the premises.