

§6030-I. Optional recurring fee

1. Definition. As used in this section, "optional recurring fee" means an amount of money paid for an added service or feature of a property that is not essential to meet the basic health or safety requirements necessary for a dwelling unit to be fit for human habitation as governed by section 6021. "Optional recurring fee" does not include a fee for the use of a coin-operated laundry machine or other intermittent fee not paid on a predetermined recurring basis. "Optional recurring fee" does not include fees for late, missed or insufficient payment of rent, repair costs, utility service costs, penalties or charges that are issued to reimburse the landlord for reasonable costs or that deter the tenant from violating the lease or tenancy at will agreement.

[PL 2023, c. 594, §11 (NEW); PL 2023, c. 594, §13 (AFF).]

2. Permitted optional recurring fee. A landlord may impose an optional recurring fee only if the landlord provides the tenant with written notice, prior to the implementation of the fee, that the tenant may opt in to using the services or property feature and cease paying the optional recurring fee at any time without penalty. A landlord may not deny or terminate a lease or tenancy at will agreement based on the tenant choosing to opt out of those services or property features or cease paying the optional recurring fee.

[PL 2023, c. 594, §11 (NEW); PL 2023, c. 594, §13 (AFF).]

SECTION HISTORY

PL 2023, c. 594, §11 (NEW). PL 2023, c. 594, §13 (AFF).

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