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   Delete lines 35 through 37 and insert:

16   **"SECTION 8. This 2017 Act takes effect on the 91st day after the**

17   **date on which the 2017 regular session of the Seventy-ninth Legislative**

18   **Assembly adjourns sine die.".**

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