

HOUSE BILL NO. 304

INTRODUCED BY J. KARLEN, J. REAVIS, L. MUSZKIEWICZ, B. EDWARDS, M. LEE, B. CLOSE, S. FYANT, J. WEBER, M. CUNNINGHAM, S. ROSENZWEIG, E. MATTHEWS, B. CARTER, D. HAWK, C. KEOGH, G. NIKOLAKAKOS, E. STAFMAN, D. JOY

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING RESIDENTIAL TENANT SECURITY DEPOSIT LAWS TO GIVE TENANTS MORE INFORMATION ABOUT CLEANING NOT ACCOMPLISHED AND MORE TIME TO COMPLETE ADDITIONAL CLEANING; PROHIBITING CHARGING A FEE FOR INSPECTING THE CLEANING ACCOMPLISHED BY TENANTS; AND AMENDING SECTION 70-25-201, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 70-25-201, MCA, is amended to read:

"70-25-201. Security deposit -- ~~authorized deductions authorized therefrom.~~ (1) A landlord renting property covered by this chapter may deduct from the security deposit a sum equal to the damage alleged to have been caused by the tenant, together with a sum equal to the unpaid rent, late charges, utilities, penalties due under lease provisions, and other money owing to the landlord at the time of deduction, including rent owed under 70-24-441(3), and a sum for actual cleaning expenses, including a reasonable charge for the landlord's labor.

(2) At the request of either party, the premises may be inspected within 1 week prior to termination of the tenancy.

(3) (a) Cleaning charges may not be imposed for normal maintenance performed on a cyclical basis by the landlord as noted by the landlord at the time that the tenant occupies the space unless the landlord is forced to perform this maintenance because of negligence of the tenant. Additionally, cleaning charges may not be deducted until written notice has been given to the tenant. The notice must include an itemized list of the cleaning not accomplished by the tenant, with estimates of the costs if the cleaning remains unaccomplished, and the additional ~~and type or types~~ of cleaning that need to be done by the tenant to bring the premises back to its condition at the time of its renting.

