

HOUSE BILL NO. 666

Introduced: 02/05/83

Referred to Committee on Judiciary: 02/05/83

Hearing: 2/14/83

Report: 02/14/83, Do Pass

2nd Reading: 2/15/83, Do Not Pass

Bill Killed

1 *J. Jensen* *House* BILL NO. *666*  
 2 INTRODUCED BY *Shirley Haller* *J. Brown*  
 3 *Ream Kados Ullrich*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE FROM 3 TO  
 5 20 DAYS THE NOTICE PERIOD FOR TERMINATION OF A MOBILE HOME  
 6 SPACE RENTAL AGREEMENT UPON FAILURE OF A TENANT TO PAY RENT  
 7 WHEN DUE; AMENDING SECTION 70-24-422, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 70-24-422, MCA, is amended to read:

11 "70-24-422. Noncompliance of tenant generally --  
 12 landlord's right of termination -- damages -- injunction.  
 13 (1) Except as provided in this chapter, if there is a  
 14 noncompliance by the tenant with the rental agreement or a  
 15 noncompliance with 70-24-321 affecting health and safety,  
 16 the landlord may deliver a written notice to the tenant  
 17 pursuant to 70-24-108 specifying the acts and omissions  
 18 constituting the breach and that the rental agreement will  
 19 terminate upon a date not less than 14 days after receipt of  
 20 the notice. If the breach is not remedied within that time,  
 21 the rental agreement terminates as provided in the notice  
 22 subject to the following exceptions:

23 (a) If the breach is remediable by repairs, the  
 24 payment of damages, or otherwise and the tenant adequately  
 25 remedies the breach before the date specified in the notice,

1 the rental agreement does not terminate.

2 (b) If substantially the same act or omission which  
 3 constituted a prior noncompliance of which notice was given  
 4 recurs within 6 months, the landlord may terminate the  
 5 rental agreement upon at least 5 days' written notice  
 6 specifying the breach and the date of the termination of the  
 7 rental agreement.

8 (2) If (a) Except as provided in subsection (2)(b), if  
 9 rent is unpaid when due and the tenant fails to pay rent  
 10 within 3 days after written notice by the landlord of  
 11 nonpayment and his intention to terminate the rental  
 12 agreement if the rent is not paid within that period, the  
 13 landlord may terminate the rental agreement.

14 (b) For a rental agreement involving a tenant who  
 15 rents space to park a mobile home but who does not rent the  
 16 mobile home, the notice period referred to in subsection  
 17 (2)(a) is 20 days.

18 (3) Except as provided in this chapter, the landlord  
 19 may recover actual damages and obtain injunctive relief for  
 20 any noncompliance by the tenant with the rental agreement or  
 21 70-24-321. If the tenant's noncompliance is purposeful, the  
 22 landlord may recover treble damages."

-End-

Approved by Committee  
on Judiciary

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2 INTRODUCED BY *Jameson, Hally, J. Brown*  
3 *Beau Rhodes, Usher, Davis*  
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-End-