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Senate BILL NO. 227

INTRODUCED BY D. Dineen Franklin
James McCutcheon

A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING RENT INCREASES ON SPACES IN MOBILE HOME PARKS; AND AMENDING SECTION 70-24-201, MCA."

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

Section 1. Section 70-24-201, MCA, is amended to read:

"70-24-201. Rental agreement -- terms and conditions. (1) A landlord and a tenant may include in a rental agreement terms and conditions not prohibited by this chapter or other rule or law, including rent, term of the agreement, and other provisions governing the rights and obligations of the parties.

(2) Unless the rental agreement provides otherwise and subject to subsection (4):

(a) the tenant shall pay as rent the fair rental value for the use and occupancy of the dwelling unit as determined by the landlord;

(b) rent is payable at the landlord's address;

(c) periodic rent is payable at the beginning of a term of a month or less and otherwise in equal monthly installments at the beginning of each month;

(d) rent is uniformly apportionable from day to day; and

(e) the tenancy is week to week in the case of a roomer who pays weekly rent and in all other cases month to month.

(3) Rent is payable without demand or notice at the time and place agreed upon by the parties or provided for by subsection (2) ~~of this section.~~

(4) The rent for a mobile home park space rented by a tenant who owns the mobile, manufactured, modular, or similar home occupying the space may not be increased more than 5% during any 12-month period unless the increase is because of improvements, losses, increased taxes or insurance costs, or other costs attributable or proportionately attributable to the space."

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