

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

H.P. 1288 - L.D. 1927

An Act to Add Mold to the Implied Warranty and Covenant of Habitability

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 14 MRSA §6021, sub-§1, as enacted by PL 1977, c. 401, §4, is repealed and the following enacted in its place:

1. Definition. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Dwelling unit" includes mobile homes, apartments, buildings and other structures, including the common areas thereof, that are rented for human habitation.

B. "Leaking event" means a water leak from flooding or a system or structural failure, such as a failure of a roof, window, door, plumbing system, foundation or appliance.

Sec. 2. 14 MRSA §6021, sub-§6-B is enacted to read:

6-B. Mold; bacteria; other biological organisms. It is a breach of the implied warranty of fitness for human habitation when a landlord offers for rent a dwelling unit in which there is a leaking event, chronic moisture or humidity conditions outside of the control of a tenant that result in the growth of mold, bacteria or other biological organisms.

A municipality may adopt more stringent standards by ordinance than those provided in this section.