

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Streamline the Eviction Process

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

Sec. 1. 14 MRSA §6005, first ¶, as amended by PL 1999, c. 248, §3, is further amended to read:

When the defendant is defaulted or fails to show sufficient cause, judgment must be rendered against the defendant by the District Court for possession of the premises. Seven calendar days after the judgment is entered, the court shall issue the writ of possession to remove the defendant. The writ may be served by a sheriff or a constable. If at least 3 good faith efforts on 3 different days have been made to serve the defendant, service may be accomplished by both mailing the notice by first-class mail to the defendant's last known address and leaving the writ of possession at the defendant's last and usual place of abode. A writ of possession may not issue in any case in which the ground for termination of the tenancy at will was rent arrearage and the defendant paid the amount necessary to reinstate the tenancy as provided by section 6002.

SUMMARY

Current law requires that a sheriff or constable serving a writ of possession in an eviction must make 3 good faith efforts on 3 different days to serve the defendant in person before the writ of possession may be left at the defendant's home and a notice mailed. This bill reduces the number of efforts required to 2.