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Date: (Filing No. S- )

**JUDICIARY**

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**STATE OF MAINE  
SENATE  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 485, L.D. 1508, “An Act To Prevent Homelessness by Establishing an Eviction Mediation Program”

Amend the bill by striking out the title and substituting the following:

**'An Act To Reduce Homelessness by Reducing Evictions'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 14 MRSA §6004, as amended by PL 2015, c. 22, §1, is repealed and the following enacted in its place:

**§6004. Commencement of action**

**1. Summons and complaint; service.** The process of forcible entry and detainer must be commenced and service made in the same manner as other civil actions, except that 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 summons and complaint by first-class mail to the defendant's last known address and leaving the summons and complaint at the defendant's last and usual place of abode. If service has been made by mailing and posting the summons and complaint, the plaintiff shall file with the court an affidavit demonstrating that compliance with the requirement of service has occurred. When the plaintiff lives out of the State and a recognizance is required of the plaintiff, any person may recognize in the plaintiff's behalf and is personally liable.

**2. Form notice.** If the defendant is a residential tenant, the plaintiff shall attach to the summons and complaint that is served on the defendant as provided in subsection 1 a one-page to 2-page form notice provided by the judicial branch in consultation with other resources and posted on the publicly accessible website of the judicial branch, written in language that is plain and readily understandable by the general public, that contains at a minimum the following:

**COMMITTEE AMENDMENT**

1 A. A description of the court procedure to be followed in the case, including a clear  
2 explanation of the process that must be followed before a tenant is required to vacate a  
3 rental unit;

4 B. A statement that failure to appear at any scheduled status conference or hearing  
5 may result in the entry of judgment in favor of the landlord, which would require the  
6 tenant to leave the rental unit;

7 C. A list of rental assistance programs available to residential tenants;

8 D. A list of resources that provide legal information and representation available to  
9 residential tenants;

10 E. A list of resources that provide housing counseling available to residential tenants;

11 F. A statement that either party may request, or the court may at any time refer the  
12 parties to, mediation on any issue; and

13 G. A court-approved form to request mediation.

14 **Sec. 2. Appropriations and allocations.** The following appropriations and  
15 allocations are made.

16 **JUDICIAL DEPARTMENT**

17 **Courts - Supreme, Superior and District 0063**

18 Initiative: Provides funding for legal representation for low-income individuals in forcible  
19 entry and detainer actions. These funds are available for distribution by the Civil Legal  
20 Services Fund Commission pursuant to the Maine Revised Statutes, Title 4, section 18-A,  
21 subsection 1.

22 <b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
23 All Other	\$1,500,000	\$1,500,000
24		
25 GENERAL FUND TOTAL	<u>\$1,500,000</u>	<u>\$1,500,000</u>

26 ,  
27 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
28 number to read consecutively.

29 **SUMMARY**

30 This amendment is the majority report. It replaces the bill, but retains the requirement  
31 that the landlord attach the one-page to 2-page form providing information to the tenant  
32 when the landlord serves the eviction summons and complaint on the tenant. It also  
33 appropriates \$1,500,000 from the General Fund each year of the biennium to be distributed  
34 by the Maine Civil Legal Services Commission to provide legal representation to residents  
35 of the State with low income in eviction actions.

36 **FISCAL NOTE REQUIRED**

37 **(See attached)**