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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

Introduced By: Senator Michael J. McCaffrey

Date Introduced: March 26, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-18-22 of the General Laws in Chapter 34-18 entitled "Residential
2 Landlord and Tenant Act" is hereby amended to read as follows:

3 **34-18-22. Landlord to maintain premises.**

4 (a) A landlord shall:

5 (1) Comply with the requirements of applicable building and housing codes affecting
6 health and safety;

7 (2) Make all repairs and do whatever is necessary to put and keep the premises in a fit and
8 habitable condition;

9 (3) Keep all common areas of the premises in a clean and safe condition;

10 (4) Maintain in good and safe working order and condition all electrical, plumbing,
11 sanitary, heating, ventilating, air conditioning, and other facilities and appliances, including
12 elevators, supplied or required to be supplied by him or her;

13 (5) Provide and maintain appropriate receptacles and conveniences for the removal of
14 ashes, garbage, rubbish, and other waste incidental to the occupancy of the dwelling unit as required
15 by § 45-24.3-6, or applicable local codes if more restrictive, and arrange for their removal; ~~and~~

16 (6) Supply running water and reasonable amounts of hot water at all times as required by
17 § 45-24.3-7, or applicable local codes if more restrictive, and reasonable heat as required by § 45-
18 24.3-9, or applicable local codes if more restrictive, between October 1 and May 1, except where
19 the building that includes the dwelling unit is not required by law to be equipped for that purpose,

1 or the dwelling unit is so constructed that heat or hot water is generated by an installation within
2 the exclusive control of the tenant and supplied by a direct public utility connection; ~~and~~ and

3 (7) Obtain and have in full force and effect a general liability insurance policy of at least
4 one hundred thousand dollars (\$100,000) for those persons injured on the premises due to the
5 negligence of the landlord. The landlord shall provide a copy of the declaration page from the
6 carrier showing said policy to the tenant with the written lease at the beginning of the tenancy and
7 shall provide a new copy with each policy renewal to the tenant.

8 (b) If the duty imposed by subsection (a)(1) of this section is greater than any duty imposed
9 by any other paragraph of that subsection, the landlord's duty shall be determined by reference to
10 subsection (a)(1) of this section.

11 (c) The landlord and tenant of a dwelling unit may agree in writing that the tenant perform
12 specified repairs, maintenance tasks, alterations and remodeling but only if:

13 (1) The agreement of the parties is entered into in good faith and set forth in a writing
14 signed by the parties and supported by adequate consideration;

15 (2) The work is not necessary to cure noncompliance with subsection (a)(1) of this section;
16 and

17 (3) The agreement does not diminish or affect the obligation of the landlord to other tenants
18 in the premises.

19 SECTION 2. This act shall take effect on January 1, 2022.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

1 This act would require a landlord to obtain and have in full force and effect a general
2 liability policy of at least one hundred thousand dollars (\$100,000) for those persons injured on the
3 premises due to the negligence of the landlord.

4 This act would take effect on January 1, 2022.

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