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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

**RELATING TO TOWNS AND CITIES -- HOUSING MAINTENANCE AND OCCUPANCY
CODE -- NOTICE OF VIOLATIONS**

Introduced By: Senators Mack, Bissaillon, Kallman, Euer, and Gu

Date Introduced: January 23, 2026

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-24.3-17 of the General Laws in Chapter 45-24.3 entitled "Housing
2 Maintenance and Occupancy Code" is hereby amended to read as follows:

3 **45-24.3-17. Notice of violation.**

4 (a) Whenever the enforcing officer determines that any dwelling, dwelling unit, rooming
5 unit, or structure, or the premises surrounding any of these, fails to meet the requirements
6 established in this chapter or in applicable rules and regulations issued pursuant to this chapter, he
7 or she shall issue a notice stating the alleged failures and advising the owner, occupant, operator,
8 or agent that the failures must be corrected. This notice shall:

9 (1) Be in writing;

10 (2) State the alleged violations of the chapter or of applicable rules and regulations issued
11 pursuant to it;

12 (3) Describe the dwelling, dwelling unit, rooming unit, or structure where the violations
13 are alleged to exist or to have been committed;

14 (4) Provide a reasonable time, not to exceed thirty (30) days, for the correction of any
15 alleged violation; **and**

16 (5) Be served upon the owner, occupant, operator, or agent of the dwelling, dwelling unit,
17 rooming unit, or structure personally, or by certified or registered mail, return receipt requested,
18 addressed to the last known place of residence of the owner, occupant, operator, or agent; and the

1 owner, occupant, operator, or agent shall be afforded ten (10) days from receipt of such notice to
2 refute the alleged violation or remediate the condition prior to any notice being provided to tenants;
3 and

4 (6) If the alleged violation is not refuted or remediated within the ten (10) day period, notice
5 shall then be served to the residents affected by said violations of the dwelling, in person, or by
6 certified or registered mail, return receipt requested, and made available for copy and review upon
7 request by a tenant at a local municipal code enforcement office.

8 (b) The owner of any dwelling, dwelling unit, rooming unit or structure who is a
9 nonresident of the state of Rhode Island shall have and continuously maintain with the city or town
10 clerk where the property is located a registered agent, which agent may be either an individual who
11 resides in this state or corporation authorized to do business in this state. The landlord's designation
12 shall be in writing, shall include the name and address of the agent, and shall include the street
13 address of each property designated to the agent. The agent so appointed shall be the agent of the
14 owner upon whom any notice process or demand required or permitted by law to be served may be
15 served. Any person who fails to maintain a registered agent shall be subject to a fine of one hundred
16 dollars (\$100).

17 (c) If one or more persons to whom the notice is addressed cannot be found after diligent
18 effort to do so, service may be made upon the person or persons by posting a notice in or about the
19 dwelling, dwelling unit, rooming unit, or structure described in the notice, or by causing the notice
20 to be published in a newspaper of general circulation, for a period of three (3) consecutive days.

21 (d) At the end of the period of time allowed for the correction of any alleged violation, the
22 enforcing officer shall reinspect the dwelling, dwelling unit, rooming unit, or structure described
23 in the notice.

24 (e) If upon reinspection the alleged violations are determined by the enforcing officer not
25 to have been corrected, he or she shall issue a second notice of violation on which constitutes an
26 order requiring that the then existing failures to meet the requirements of this chapter, or of
27 applicable existing rules or regulations issued pursuant to it, shall be corrected within a reasonable
28 time allowed, but not to exceed thirty (30) days after the date of the reinspection, if the person
29 served with the notice does not petition for a hearing on the matter in the manner provided by this
30 chapter.

31 (f) The enforcing officer shall cause a copy of the second notice to be posted in a
32 conspicuous place in or about the dwelling, dwelling unit, rooming unit, or structure where the
33 violations are alleged to exist, and shall serve it in the manner provided in this section.

34 (g) The enforcing officer, after the expiration of time granted the person served with the

1 second notice shall summon the owner, occupant, operator, or agent to a hearing by the housing
2 board of review or by a court of competent jurisdiction. If the dwelling or dwelling unit is leased,
3 the enforcing officer shall notify the tenant-occupant of any and all hearings pertaining to alleged
4 violations in and around such tenant-occupant's dwelling or dwelling unit, either by certified mail
5 or by causing a copy of the summons to be posted in a conspicuous place in or about the dwelling,
6 dwelling unit, rooming unit, or structure where the violations are alleged to exist. ~~to seek a hearing~~
7 ~~in the manner provided by this chapter, or after final~~ A final decision by the housing board of review
8 or by a court of competent jurisdiction to which an appeal has been taken, shall cause the second
9 notice to be recorded in the land registry of the corporate unit.

10 (h) The notice shall state that a cumulative civil penalty has been imposed. Except as
11 otherwise provided in this section, no notice and lien recorded under this chapter shall be released
12 until the violation has been abated and the penalty imposed, as provided for in § 45-24.3-18, has
13 been paid.

14 (i) All subsequent transferees of the dwelling, dwelling unit, rooming unit, or structure in
15 connection with which a second notice has been so recorded, are deemed to have notice of the
16 continuing existence of the alleged violations, and are liable to all penalties and procedures
17 provided by this chapter and by applicable rules and regulations issued pursuant to it to the same
18 degree as was their transferor.

19 (j) It is unlawful for the owner of any residential or non-residential building upon whom a
20 notice of violation or order has been served to sell, transfer, mortgage, lease, or dispose of the
21 building to another until the provisions of the notice or order have been complied with or until the
22 owner first furnishes to the grantee, lessee, or mortgagee prior to the transfer, lease, or mortgage, a
23 true copy of any notice or order issued by the enforcing officer, and, at the same time, notify the
24 enforcing officer, in writing, of the intent to transfer, lease, or mortgage either by delivering the
25 notice of intent to the enforcing officer and receiving a receipt for the notice, or by registered or
26 certified mail, return receipt requested, giving the name and address of the person to whom the
27 transfer, lease, or mortgage is proposed. A transferee, lessee, or mortgagee who has received actual
28 or constructive notice of the existence of a notice or order is bound by the notice or order as of the
29 date of the transfer, mortgage, or lease without service of further notice upon him or her.

30 (k) The notice, once recorded in the land registry, is effective for a period of three (3) years
31 from the date of recording, and, in the absence of an intervening renewal by the enforcing officer
32 or by the enforcing officer for the corporate unit taking other action as provided by this chapter,
33 shall cease to be a notice of violation at the expiration of the three-year term. Notices already of
34 record as of June 18, 1985 will, in the absence of an intervening renewal by the enforcing officer

1 or by other action taken by the enforcing officer for the corporate unit under this chapter, cease to
2 be a notice of violation at the expiration of three (3) years.

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO TOWNS AND CITIES -- HOUSING MAINTENANCE AND OCCUPANCY
CODE -- NOTICE OF VIOLATIONS

1 This act would require a housing code enforcement officer to give a copy of any housing
2 code violation notice to all tenants of the building affected by an alleged housing code violation,
3 along with any hearing dates scheduled for the violation.

4 This act would take effect upon passage.

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