

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 459

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO LEASES; AMENDING SECTION 55-307, IDAHO CODE, TO PROVIDE THAT
2 CERTAIN NOTICE SHALL BE GIVEN FOR AN INCREASE IN THE AMOUNT OF RENT
3 CHARGED THAT IS GREATER THAN TEN PERCENT AND TO MAKE TECHNICAL CORREC-
4 TIONS.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 55-307, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 55-307. CHANGE IN TERMS OF LEASE -- NOTICE. (1) In all leases of lands
10 or tenements, or of any interest therein from month to month, the landlord
11 may, upon giving notice in writing at least fifteen (15) days before the ex-
12 piration of the month, change the terms of the lease, to take effect at the
13 expiration of the month. The notice, when served upon the tenant, shall of
14 itself operate and be effectual to create and establish, as a part of the
15 lease, the terms, rent and conditions specified in the notice, if the tenant
16 shall continue to hold the premises after the expiration of the month.

17 (2) A local governmental unit shall not enact, maintain, or enforce an
18 ordinance or resolution that would have the effect of controlling the amount
19 of rent charged for leasing private residential property. This provision
20 does not impair the right of any local governmental unit to manage and con-
21 trol residential property in which the local governmental unit has a prop-
22 erty interest.

23 (3) Notwithstanding subsection (1) of this section, in all leases of
24 residential property, or of any interest therein on a basis of twelve (12)
25 months or longer, the landlord shall provide the tenant written notice of any
26 increase in the amount of rent charged that is greater than ten percent (10%)
27 or of the landlord's intention of nonrenewal of the lease at least forty-five
28 (45) days before expiration of the lease.

29 (4) Notwithstanding subsection (1) of this section, in all leases of
30 lands or tenements, or of any interest therein from month to month, the land-
31 lord may increase the amount of rent charged by more than ten percent (10%) in
32 aggregate over a twelve (12) month period only upon giving notice in writing
33 at least thirty (30) days before such increase will take effect.