

STATEMENT OF PURPOSE

RS26260

This legislation seeks to clarify sections of Idaho Code that manage the relationships and actions between landlords and tenants. Broadens the definition of unlawful detainer to reflect modern operations and standardizes eviction process for all types. Standardizes the opportunity for a continuance across all eviction types. The bill also ensures a tenant will be informed of the reasons for the eviction. The bill updates our laws to allow damages to be awarded at the same time as the order of restitution. This will streamline the process and make it easier to hold tenants accountable for default. The bill clarifies what a tenant must do to file an action against a landlord. It gives a tenant language to use when enforcing a statutory remedy for landlord breach. It creates a process for tenants to notify landlords with a 5-day notice of failure to send security deposit and provides for damages and remedies if a landlord does not comply within the 5 days, including the award of three times the deposit amount. With respect to deposits, the bill would require 3rd party managers to hold security deposits in trust. The bill creates a new abandoned premises definition and process as well as an abandoned property definition and disbursement process and allows for an extension of time for abandoned property to be held when extenuating circumstances such as a death have occurred.

FISCAL NOTE

This legislation will streamline processes between landlords and tenants, adding transparency and consistency that should lead to less work for Idaho courts. Therefore, there is no fiscal impact to the state general fund. There is no fiscal impact on local government funds.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).