

AMENDMENTS TO HOUSE BILL NO. 1714

Sponsor: SENATOR FONTANA

Printer's No. 3764

1 Amend Bill, page 7, by inserting between lines 23 and 24

2 (i) In the event that the landlord wrongfully disposes of or
3 otherwise exercises control over personal property in violation
4 of this section, the tenant may have the right to bring action
5 against the landlord in a lower court with jurisdiction over the
6 rental unit within fifteen days following the postmark date of
7 the landlord's written notice of the tenant's rights regarding
8 the property under subsection (d). The following shall apply:

9 (1) The tenant may have the right to treble damages and may
10 be reimbursed for any reasonable attorney fees and court costs
11 incurred by the tenant as a result of the landlord's actions.

12 (2) If the court finds the landlord disposed of or exercised
13 control of the personal property in violation of this section in
14 bad faith, the landlord may be liable to the tenant for
15 additional punitive damages of no less than one hundred dollars
16 (\$100).

17 (3) If the landlord fails to restore possession of the
18 property to the tenant within seven days following the rendition
19 of a judgment in favor of such, the landlord may be liable to
20 the tenant for an additional penalty of up to one hundred
21 dollars (\$100) per day thereafter until possession of such
22 property is restored to the tenant.