
DIGEST

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HB 257 Original

2022 Regular Session

Landry

Abstract: Provides for early termination of lease agreements for certain lessees with physical or mental conditions that require relocation.

Present law (C.C. Art. 2678) provides that leases shall be for a term. The duration of that term may be agreed to by the parties or supplied by law. The term is fixed when the parties agree that the lease will terminate at a designated date or upon the occurrence of a designated event.

Present law (C.C. Art. 2680) provides that if the parties have not agreed on the duration of the term of the lease, the duration shall be supplied by law.

Proposed law provides that lessees who are at least 60 years old or with a physical or mental disability may terminate their residential lease agreement prior to the term of the lease if their physical or mental condition requires their relocation to a new dwelling for care or treatment.

Proposed law provides that the lessee wishing to seek early termination shall serve the lessor with notice, effective not less than 30 days after the date the notice is served.

Proposed law provides that the lessee shall provide written documentation from an attending physician of (1) the lessee's physical or mental condition, and (2) that the physical or mental condition requires the lessee to be relocated for treatment or care that cannot be provided in the dwelling.

Proposed law provides that the lease agreement shall terminate on a mutually agreed-upon date. The lessee shall vacate the dwelling by the date.

Proposed law provides that the lessee is liable for rent paid through the early termination date and any previous obligations to the lessor outstanding on that date. The amount due to the lessor shall be paid to the lessor on or before the lessee vacates the dwelling.

Present law (R.S. 9:3251) provides for circumstances when the lessor may retain a portion or all of a lessee's security deposit.

Proposed law retains present law.

Proposed law provides that proposed law shall not be waived or modified by agreement of the parties under any circumstances.

Proposed law provides that failure to comply with proposed law gives a residential lessee the right to recover twice the amount of monthly rent in damages from the lessor, in addition to other damages and costs that the lessee may also be entitled.

Proposed law provides for the definition of "attending physician".

(Adds R.S. 9:3261.3)