

2023 Regular Session

HOUSE BILL NO. 606

BY REPRESENTATIVE JORDAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HOUSING: Provides relative to safe housing

1 AN ACT

2 To enact R.S. 9:3261.3 and 51:2615, relative to rental properties; to provide for safety
3 standards for rental properties; to provide for disclosure of criminal incidents; to
4 provide for leasing agreements; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:3261.3 is hereby enacted to read as follows:

7 §3261.3. Lease agreements for certain residential dwellings; criminal incidents

8 A. A lessee shall have the right to terminate a rental agreement pertaining
9 to any rental property where a lessee has residency, if there have been two or more
10 criminal incidents reported to the police in a six month time frame within a half mile
11 radius of the residential property.

12 B. In order for a lessee to receive an early termination as provided in this
13 Section, the lessee shall do all of the following:

14 (1) Assert in writing to the lessor that there have been two or more criminal
15 incidents reported to the police in a six-month time frame within a half mile radius
16 of the property and that the lessee seeks early termination.

17 (2) Provide to the lessor reasonable documentation that there have been two
18 or more criminal incidents reported to the police in a six-month time frame within
19 a half mile radius of the property, if the two or more criminal incidents occurred after
20 the execution of the lease agreement.

1 (3) Meet or agree to fulfill all requirements of a lessee under the lease
2 agreement.

3 C. If a lessee fulfills all the requirements of Subsection B of this Section, the
4 lessor shall grant the lessee the requested early termination of the lease, as provided
5 by this Subsection.

6 (1) If the lessee requests early termination of the lease agreement, the lessor
7 shall terminate the lease agreement as a matter of law on a mutually agreed-upon
8 date within thirty days of the written request for early termination. The lessee
9 requesting the early termination shall vacate the residential dwelling by the date to
10 avoid liability for future rent.

11 (2) In such cases, the lessee requesting the early termination is liable only
12 for rent paid through the early termination date of the lease and any previous
13 obligations to the lessor outstanding on that date. The amount due from the lessee
14 shall be paid to the lessor on or before the date the lessee vacates the dwelling. The
15 lessor may withhold the lessee's security deposit only for any reason permitted in
16 accordance with R.S. 9:3251.

17 (3)(a) When there are multiple lessees who are parties to a lease agreement
18 for which the accommodation of early termination is requested by one or more
19 lessees, and upon the lessees' timely providing to the lessor reasonable
20 documentation that there have been two or more criminal incidents reported to the
21 police in a six-month time frame within a half mile radius of the property as required
22 in this Section, the entire lease shall terminate on the mutually agreed-upon date, and
23 the lessor shall be entitled to an immediate eviction of all lessees upon presenting the
24 court with reasonable documentation of the two or more criminal incidents reported
25 to the police in a six-month time frame within a half mile radius of the property.

26 (b) Lessors shall be immune from any and all lawsuits, claims, demands, or
27 causes of action filed by or on behalf of lessees.

28 Section 2. R.S. 51:2615 is hereby enacted to read as follows:

29 2615. Safety standards for rental properties

1 A. Any owner, property manager, or property management company shall
2 provide all of the following security measures to residential rental properties:

3 (1)(a) Security cameras capable of obtaining clear, discernable footage of
4 every portion of the rental property which is not located within the confines of the
5 building or structure itself. This may include but not be limited to all parking lots,
6 walkways, sidewalks, grassy areas, playground areas and trash collection areas.

7 (b) The security camera systems shall be capable of storing and maintaining
8 all footage for a period of thirty days. After the passage of thirty days from the date
9 the footage was obtained, the rental property may delete the footage, unless
10 otherwise instructed by law enforcement, in which case, the rental property must
11 maintain the footage to the extent instructed by law enforcement.

12 (c) The rental property shall immediately provide copies of any and all
13 available footage to law enforcement upon request.

14 (2)(a) Lighting capable of illuminating every portion of the rental property
15 which is not located within the confines of the building or structure itself. This may
16 include but not be limited to all parking lots, walkways, sidewalks, grassy areas,
17 playground areas and trash collection areas.

18 (b) All lighting installed shall be of significant strength so that security
19 cameras required in this Section can obtain clear, discernable footage of outside
20 areas.

21 B.(1) Any owner, property manager, or property management company who
22 is responsible for or has control over the rental property shall, prior to renting or
23 leasing the rental property, disclose to any prospective tenant the resources where the
24 prospective tenants may obtain data regarding criminal incidents occurring within
25 close proximity of the rental property.

26 (2) The disclosure required by this Subsection shall include but may not be
27 limited to information provided by local police and sheriff departments and criminal
28 incidents that occurred on the property.

- 1 (3) The disclosure required by this Subsection shall be posted in the rental
2 office, made available online or delivered in writing to prospective tenants.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 606 Original

2023 Regular Session

Jordan

Abstract: Allows for lessors to terminate a lease and creates safety standards fro rental properties.

Proposed law states a lessee shall have the right to terminate a rental agreement pertaining to residency of a lessee if there have been two or more criminal incidents reported to the police in a six month time frame within a half mile radius of the residential property.

Proposed law allows for a lessee to receive an early termination as provided in proposed law, the lessee shall do all of the following:

- (1) Assert in writing to the lessor that there have been two or more criminal incidents reported to the police in a 6 month time frame within a .5 mile radius of the property.
- (2) Provide to the lessor reasonable documentation that there have been two or more criminal incidents reported to the police in a 6 month time frame within a .5 mile radius of the property, provided that the two or more criminal incidents occurred after the execution of the lease agreement.
- (3) Meet or agree to fulfill all requirements of a lessee under the lease agreement.

Proposed law requires that if a lessee fulfills all the requirements of proposed law, the lessor shall grant the lessee the requested early termination of the lease.

Proposed law requires that if the lessee requests early termination of the lease agreement, the lessor shall terminate the lease agreement as a matter of law on a mutually agreed upon date within 30 days of the written request for early termination. The lessee requesting the early termination shall vacate the residential dwelling by the date to avoid liability for future rent.

Proposed law states that the lessee requesting the early termination is liable only for rent paid through the early termination date of the lease and any previous obligations to the lessor outstanding on that date. The amount due from the lessee shall be paid to the lessor on or before the date the lessee vacates the dwelling. The lessor may withhold the lessee's security deposit only for any reason permitted under present law

Proposed law requires that when there are multiple lessees who are parties to a lease agreement for which the accommodation of early termination is requested by one or more lessees, the lessor shall be entitled to an immediate eviction of all lessees upon presenting the court with reasonable documentation of the criminal incidents. Lessors shall be immune from any and all lawsuits, claims, demands, or causes of action filed by or on behalf of lessees.

Proposed law creates safety standards for rental properties.

Proposed law requires that any owner, property manager, or property management company shall provide proper security cameras and lighting on their residential properties.

Proposed law requires that any owner, property manager, or property management company who is responsible for or has control over the rental property shall, prior to renting or leasing the rental property, disclose to any prospective tenant the resources where the prospective tenants may obtain data regarding criminal incidents occurring within close proximity of the rental property.

(Adds R.S. 9:3261.3 and 51:2615)