

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1628

By: Goodwin

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6 AS INTRODUCED

7 An Act relating to landlord and tenant; prohibiting  
8 landlord from retaliating against a tenant for  
9 certain actions; providing remedies and damages to  
10 tenants for retaliation by a landlord; providing this  
act does not apply when a landlord increases rent in  
certain circumstances; providing for codification;  
and providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 137 of Title 41, unless there is  
16 created a duplication in numbering, reads as follows:

17 A. A landlord may not retaliate against a tenant by increasing  
18 the tenant's rent, decreasing services that are due to the tenant,  
19 or bringing or threatening to bring an action for possession of the  
20 tenant's premises because:

21 1. The tenant has complained to an appropriate governmental  
22 agency of a violation of a building, housing, health, or safety code  
23 that is applicable to the premises, and the violation materially  
24 affects health and safety;

1        2. The tenant has complained to the landlord of any violation  
2 of Section 118 of Title 41 of the Oklahoma Statutes; or

3        3. The tenant joined with other tenants for the purpose of  
4 negotiating or dealing collectively with the landlord on any of the  
5 terms and conditions of a rental agreement.

6        B. If a landlord acts in violation of Subsection A of this  
7 section the tenant may:

8        1. Use the retaliatory action of the landlord as a defense to  
9 an action by the landlord to recover possession of the premises;

10       2. Recover possession of the premises; or

11       3. Terminate the rental agreement.

12       In addition, the tenant may recover from the landlord any actual  
13 damages together with reasonable attorneys' fees. Furthermore, the  
14 court may award the tenant punitive damages.

15       C. Nothing in Subsection A of this section shall prohibit a  
16 landlord from increasing the rent to reflect the cost of  
17 improvements installed by the landlord in or about the premises or  
18 to reflect an increase in other costs of operation of the premises.

19       SECTION 2. This act shall become effective November 1, 2023.

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21       59-1-6823        JL        01/11/23

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