

**2018 -- S 2695 SUBSTITUTE A**

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LC004123/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2018**

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A N A C T

RELATING TO PROPERTY

Introduced By: Senator Erin Lynch Prata

Date Introduced: March 20, 2018

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 34-18-22.3 of the General Laws in Chapter 34-18 entitled  
2 "Residential Landlord and Tenant Act" is hereby amended to read as follows:

3           **34-18-22.3. Nonresident landlord to designate agent for service of process.**

4           A landlord who is not a resident of this state shall designate and continuously maintain an  
5 agent upon whom service may be made of any process, notice, or demand required or permitted  
6 by law to be served, including but not limited to notices of minimum housing code violations.  
7 The agent shall be a resident of this state or a corporation authorized to do business in this state.  
8 The landlord's designation shall be in writing, shall include the name and address of the agent,  
9 shall include the street address of each property designated to said agent, and shall be filed with  
10 the secretary of state and with the clerk of the city or town wherein the dwelling unit is located. ~~If~~  
11 ~~a~~ Any landlord who fails to comply with the requirements of this section, ~~rent for the dwelling~~  
12 ~~unit abates until designation of an agent is made and the landlord~~ shall be subject to a civil fine of  
13 ~~up to five hundred (\$500) dollars per violation~~ one hundred dollars (\$100) per month up to a  
14 maximum of one thousand two hundred dollars (\$1,200) in a calendar year or if the monthly rent  
15 exceeds one thousand two hundred dollars (\$1,200), the civil fine shall be one month's rent for  
16 the calendar year, payable to the municipality.

1 SECTION 2. This act shall take effect on September 1, 2018.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO PROPERTY

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1           This act would eliminate the penalty of abating rent in cases where a non-resident  
2 landlord fails to designate an agent for service of process and would clarify that the fine for  
3 violating this section is civil and would amend the amount of the fine from five hundred dollars  
4 (\$500) per violation to one hundred dollars (\$100) per month.

5           This act would take effect on September 1, 2018.

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