

# HOUSE RESEARCH

## Bill Summary

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**Version:** As introduced

**Authors:** Gunther and others

**Subject:** Landlord's Unpaid Utility Bills

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### Overview

This bill modifies the right of a tenant to restore service by paying current unpaid utility charges that are otherwise the responsibility of the landlord, and provides that a tenant may become the bill payer responsible and the customer-of-record on a utility account if a landlord has failed to make payments.

#### Section

- 1**      **Right of Tenant to Pay Bills.** Current law provides that a tenant may pay the outstanding bill if the utility company agrees to restore service. This bill provides that, if a landlord fails to pay a utility bill (natural gas, electricity, or water) and the tenant has provided sufficient notice to the landlord of the tenant's intention to pay the bill, the utility company or municipality must restore service for at least one billing period upon payment of the current charges for the most recent billing period by the tenant. "Current charges" does not include any arrears incurred by the landlord.

If a residential building has less than five units, the bill also allows a tenant to agree to become the customer-of-record and bill payer responsible for the utility account. The tenant must notify the utility company or municipality and satisfy all other requirements for establishing service. The utility provider must then place the account in the tenant's name and provide service prospectively. A tenant may only exercise this right one time in any 12-month period; paying the current unpaid charges of a utility bill because of a failure of the landlord to do so does not preclude a tenant from exercising the right to become the

**Section**

customer-of-record and bill payer responsible for the service.

If the residential building is single-metered, other tenants in the building may contribute payments to the utility company or municipality on the landlord's account or the account of a tenant who is the customer-of-record.

A landlord may reestablish service in the landlord's name after a tenant has taken over as the customer-of-record if the landlord satisfies all requirements for reestablishing service, including paying or entering into an agreement to pay that is acceptable to the utility company or municipality, all arrears and other lawful charges incurred by the landlord on the account.

After submitting documentation to the landlord showing the tenant has made a payment to a utility company or municipality, the tenant may deduct the amount of the payment from the next rental payment to the landlord.