

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Wilson

1 Amend reengrossed bill, page 8, line 12, strike "IF:" and substitute "IF THE
2 TENANT ESTABLISHES THAT THE RESIDENTIAL PREMISES IS
3 UNINHABITABLE, AS DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION,
4 THE TENANT ESTABLISHES THAT THE LANDLORD HAS NOTICE OF THE
5 UNINHABITABLE CONDITION, AS DESCRIBED IN SUBSECTION (3)(e) OF THIS
6 SECTION, AND:".

7 Page 8, strike lines 23 through 25 and substitute:

8 "(b) (I) A LANDLORD MAY REBUT THE PRESUMPTION DESCRIBED IN
9 SUBSECTION (3)(a) OF THIS SECTION BY ESTABLISHING, BY A
10 PREPONDERANCE OF THE EVIDENCE, THAT:".

11 Page 8, line 26, strike "(I)" and substitute "(A)".

12 Page 9, line 3, strike "(II)" and substitute "(B)".

13 Page 9, line 6, strike "(III)" and substitute "(C)".

14 Page 9, after line 11 insert:

15 "(II) A TENANT OTHERWISE HAS THE BURDEN OF PROOF TO
16 ESTABLISH A BREACH OF THE WARRANTY OF HABITABILITY.".

17 Page 9, line 13, strike "(3)(b)" and substitute "(3)(b)(I)".

18 Page 11, line 11, strike "(3)(b)" and substitute "(3)(b)(I)".

19 Page 19, line 13, strike "(3)(b)" and substitute "(3)(b)(I)".

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