**§9097-A. Unfair rental contracts**

**1. Illegal waiver of rights.**  It is an unfair and deceptive trade practice in violation of Title 5, section 207 for a park owner or operator to use a rental agreement or rule that has the effect of waiving a tenant right established in chapter 953 and, if applicable to mobile home park tenants, Title 14, chapters 709, 710 and 710‑A. This subsection does not apply when the law specifically allows the tenant to waive a statutory right during negotiations with the park owner or operator.

[PL 1991, c. 361, §1 (NEW); PL 1991, c. 361, §3 (AFF).]

**2. Unenforceable provisions.**  The following rental agreement or rule provisions are specifically declared to be unenforceable and in violation of Title 5, section 207:

A. Any provision that absolves the park owner or operator from liability for the negligence of the park owner or operator or the agent of the park owner or operator; [PL 1991, c. 361, §1 (NEW); PL 1991, c. 361, §3 (AFF).]

B. Any provision that requires the tenant to pay the legal fees of the park owner or operator in enforcing the rental agreement; [PL 1991, c. 361, §1 (NEW); PL 1991, c. 361, §3 (AFF).]

C. Any provision that requires the tenant to give a lien upon the tenant's property, including a tenant's mobile home, for the amount of any rent or other sums due the park owner or operator; and [PL 1991, c. 361, §1 (NEW); PL 1991, c. 361, §3 (AFF).]

D. Any provision that requires the tenant to acknowledge that the provisions of the rental agreement, including tenant rules, are fair and reasonable. [PL 1991, c. 361, §1 (NEW); PL 1991, c. 361, §3 (AFF).]

[PL 1991, c. 361, §1 (NEW); PL 1991, c. 361, §3 (AFF).]

SECTION HISTORY

PL 1991, c. 361, §1 (NEW). PL 1991, c. 361, §3 (AFF).

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