

An Act

ENROLLED HOUSE
BILL NO. 3021

By: Scott, Tibbs, Inman,
Proctor, Luttrell, Sherrer
and Kern of the House

and

Burrage of the Senate

An Act relating to the Oklahoma Residential Landlord and Tenant Act; amending 41 O.S. 2001, Section 118, which relates to duties of the landlord and tenant; requiring landlord to disclose certain information to prospective tenant prior to the commencement of a rental agreement; providing exception; and providing an effective date.

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

SECTION 1. AMENDATORY 41 O.S. 2001, Section 118, is amended to read as follows:

Section 118. A. A landlord shall at all times during the tenancy:

1. Except in the case of a single-family residence, keep all common areas of his building, grounds, facilities and appurtenances in a clean, safe and sanitary condition;

2. Make all repairs and do whatever is necessary to put and keep the tenant's dwelling unit and premises in a fit and habitable condition;

3. Maintain in good and safe working order and condition all electrical, plumbing, sanitary, heating, ventilating, air-conditioning and other facilities and appliances, including elevators, supplied or required to be supplied by him;

4. Except in the case of one- or two-family residences or where provided by a governmental entity, provide and maintain appropriate receptacles and conveniences for the removal of ashes, garbage, rubbish and other waste incidental to the occupancy of the dwelling unit and arrange for the frequent removal of such wastes; and

5. Except in the case of a single-family residence or where the service is supplied by direct and independently metered utility connections to the dwelling unit, supply running water and reasonable amounts of hot water at all times and reasonable heat.

B. The landlord and tenant of a dwelling unit may agree by a conspicuous writing independent of the rental agreement that the tenant is to perform specified repairs, maintenance tasks, alterations or remodeling.

C. Prior to the commencement of a rental agreement, if a landlord knows or has reason to know that the dwelling unit or any part of the premises was used in the manufacture of methamphetamine, the landlord shall disclose this information to a prospective tenant. Provided however, if the landlord has had the level of contamination assessed within the dwelling unit or pertinent part of the premises, and it has been determined that the level of contamination does not exceed one-tenth of one microgram (0.1 mcg) per one hundred square centimeters (100 cm²) of surface materials within the dwelling unit or pertinent part of the premises, no disclosure shall be required.

SECTION 2. This act shall become effective November 1, 2010.

Passed the House of Representatives the 12th day of May, 2010.

Kris Steele

Presiding Officer of the House of Representatives

Passed the Senate the 20th day of May, 2010.

A. Bryce Mahaffey

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 21st
day of May, 2010,
at 1:14 o'clock P M.

By: *[Signature]*

Approved by the Governor of the State of Oklahoma the 26th day of
May, 2010, at 6:33 o'clock P M.

[Signature]

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
27th day of May, 2010,
at 2:56 o'clock P M.

By: *M. Susan Love*