

SENATE BILL NO. 342

INTRODUCED BY D. BERRY

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A PROPERTY MANAGER FOR A LANDLORD MAY ~~INITIATE~~ FILE AND MAINTAIN AN ACTION ON THE LANDLORD'S BEHALF TO ENFORCE COURT REMEDIES AFFORDED THE LANDLORD UNDER TITLE 70, CHAPTER 24, PART 4, OF THE MONTANA RESIDENTIAL LANDLORD AND TENANT ACT OF 1977; AND AMENDING SECTION 70-24-401, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 70-24-401, MCA, is amended to read:

"70-24-401. Administration of remedies -- enforcement. (1) (a) The remedies provided by this chapter must be administered so that an aggrieved party may recover appropriate damages. The aggrieved party has a duty to mitigate damages.

(b) With respect to court remedies afforded a landlord under this part, a property manager for a landlord may ~~initiate~~ FILE AND MAINTAIN an action to enforce any of those remedies on behalf of the landlord.

(2) A right or obligation declared by this chapter is enforceable by action unless the provision declaring it specifies a different and limited effect.

(3) Rules and regulations that are not a part of this chapter and that affect the relationship between the landlord and tenant must be uniformly and fairly applied and enforced."

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