

HB0083S01 compared with HB0083

~~deleted text~~ shows text that was in HB0083 but was deleted in HB0083S01.

Inserted text shows text that was not in HB0083 but was inserted into HB0083S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Bruce R. Cutler proposes the following substitute bill:

RENTAL APPLICATION DISCLOSURE AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bruce R. Cutler

Senate Sponsor: ~~_____~~ Todd Weiler

LONG TITLE

General Description:

This bill amends and enacts provisions related to rental units.

Highlighted Provisions:

This bill:

- ▶ requires an owner to make certain disclosures to an applicant for a rental unit before the owner accepts a rental application from the applicant; and
- ▶ prohibits an owner from charging an application fee or accepting a rental deposit from an applicant before the owner makes the required disclosures.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

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Utah Code Sections Affected:

AMENDS:

57-22-2, as enacted by Laws of Utah 1990, Chapter 314

ENACTS:

57-22-4.2, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **57-22-2** is amended to read:

57-22-2. Definitions.

As used in this chapter:

(1) "Owner" means the owner, lessor, or sublessor of a residential rental unit. A managing agent, leasing agent, or resident manager is considered an owner for purposes of notice and other communication required or allowed under this chapter unless the agent or manager specifies otherwise in writing in the rental agreement.

(2) "Rental agreement" means any agreement, written or oral, which establishes or modifies the terms, conditions, rules, or any other provisions regarding the use and occupancy of a residential rental unit.

(3) "Rental applicant" means an individual who submits a rental application.

(4) "Rental application" means an application required by an owner as a prerequisite to the owner entering into a rental agreement for a residential rental unit.

~~(3)~~ (5) "Renter" means any person entitled under a rental agreement to occupy a residential rental unit to the exclusion of others.

~~(4)~~ (6) "Residential rental unit" means a renter's principal place of residence and includes the appurtenances, grounds, and facilities held out for the use of the residential renter generally, and any other area or facility provided to the renter in the rental agreement. It does not include facilities contained in a boarding or rooming house or similar facility, mobile home lot, or recreational property rented on an occasional basis.

Section 2. Section **57-22-4.2** is enacted to read:

57-22-4.2. Owner disclosure before accepting a rental application --- Owner may not charge an application fee or accept a rental deposit before making disclosure.

(1) An owner shall disclose in writing to a rental applicant ~~(, before)~~ if the owner

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~~{accepts}~~ would deny, in every case, a rental application ~~{from}~~ solely because the rental applicant ~~{}~~ fails to meet any ~~{material}~~ objective minimum criteria ~~{established}~~ required by the owner in order for the owner to ~~{enter into a rental agreement for the residential rental unit, including:~~

- ~~—— (a) minimum renter financial criteria;~~
- ~~—— (b) any restriction on a renter's use of the unit; and~~
- ~~—— (c) any restriction related to a renter's criminal history}~~ rent the unit to any rental applicant.

(2) An owner may not accept from a rental applicant a rental application or a rental deposit, or charge a rental applicant an application fee ~~{, or accept from a rental applicant a rental deposit}~~, before the owner complies with the disclosure requirement described in Subsection (1).

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Legislative Review Note

Office of Legislative Research and General Counsel}