Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: S3/21/05	
2	85th General Assembly	A Bill	
3	Regular Session, 2005 SENATE BILL 10		SENATE BILL 1020
4			
5	By: Senator Madison		
6			
7			
8		For An Act To Be Entitled	
9	AN ACT TO ESTABLISH MINIMUM HABITABILITY		
10	STANDARDS FOR RESIDENTIAL RENTAL PROPERTY; AND		
11	FOR OTHER PURPOSES.		
12			
13		Subtitle	
14	TO E	STABLISH MINIMUM HABITABILITY	
15	STAN	DARDS FOR RESIDENTIAL RENTAL	
16	PROP:	ERTY.	
17			
18			
19	BE IT ENACTED BY THE (GENERAL ASSEMBLY OF THE STATE OF A	RKANSAS:
20			
21	SECTION 1. Titl	le 18, Chapter 16, Subchapter 1, is	s amended to add an
22	additional section to read as follows:		
23	<u>18-16-110. Mini</u>	imum residential rental property ha	abitability standards.
24	(a) If any port	cion of real property is leased for	r use as a residence,
25	the property shall have at the time initial possession is delivered to the		
26	tenant or tenants:		
27	(1) A fur	nctioning smoke alarm system;	
28	(2) An op	perable entry door and unobstructed	d means for a person
29	to enter and exit;		
30	(3) An op	perable door or window leading dire	ectly to the exterior
31	of the rental unit from every sleeping room and bedroom;		
32	(4) An av	vailable source of electricity;	
33	<u>(5) A pot</u>	table source of drinking water;	
34	<u>(6) A sou</u>	irce of wastewater connected to a v	waste disposal system
35	that conforms to state and local health and building codes;		
36	(7) An as	vailable source of hot and cold run	nning water;

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1	(8) Glass or clear Plexiglas completely covering all windows;		
2	<u>and</u>		
3	(9) An available source of heating.		
4	(b) Any political subdivision of the State of Arkansas may enact and		
5	enforce stricter standards than the standards set forth in subsection (a) of		
6	this section.		
7	(c)(1) Except as provided in subsection $(c)(3)$ of this section, from		
8	the beginning of the lease term and until the landlord complies with		
9	subsection (a) of this section:		
10	(A) The tenant is entitled to possession of the real		
11	property without payment of rent;		
12	(B) No rent is owed by the tenant; and		
13	(C) No eviction action may be premised upon the tenant's		
14	failure to pay rent.		
15	(2) This section does not excuse a tenant from paying rent or		
16	prevent a landlord from exercising any remedy upon the tenant's default unde		
17	a rental or lease agreement any time after the landlord's initial compliance		
18	with subsection (a) at the beginning of the lease term.		
19	(3) A landlord shall be deemed in compliance with subsection (a		
20	of this section if the landlord supplies the tenant at the time of initial		
21	possession a written form with which to note any defects in the items listed		
22	in subsection (a) of this section and the tenant:		
23	(A) Signs the form without noting a defect in an item		
24	listed in subsection (a) of this section; or		
25	(B) Fails to return the form to the landlord within two		
26	(2) business days.		
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28	/s/ Madison		
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