

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
2 86th General Assembly
3 Regular Session, 2007

A Bill

SENATE BILL 892

4
5 By: Senator Madison
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For An Act To Be Entitled

8
9 AN ACT TO ESTABLISH MINIMUM HABITABILITY
10 STANDARDS FOR RESIDENTIAL RENTAL PROPERTY; AND
11 FOR OTHER PURPOSES.
12

Subtitle

13
14 TO ESTABLISH MINIMUM HABITABILITY
15 STANDARDS FOR RESIDENTIAL RENTAL
16 PROPERTY.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Title 18, Chapter 16, Subchapter 1, is amended to add an
23 additional section to read as follows:

24 18-16-112. Minimum residential rental property habitability standards.

25 (a) If any portion of real property is leased for use as a residence,
26 the property shall have at the time initial possession is delivered to the
27 tenant or tenants:

28 (1) A functioning smoke alarm;

29 (2) An operable entry door and unobstructed means for a person
30 to enter and exit;

31 (3) An operable door or window leading directly to the exterior
32 of the rental unit from every sleeping room;

33 (4) An available source of electricity;

34 (5) A potable source of drinking water;

35 (6) A source of wastewater connected to a waste disposal system
36 that conforms to state and local health and building codes in existence on



1 the date the system was installed;

2 (7) An available source of hot and cold running water;

3 (8) Glass or translucent Plexiglas completely covering all
4 windows; and

5 (9) An available source of heating.

6 (b) Any political subdivision of the State of Arkansas may enact and
7 enforce stricter standards than the standards set forth in subsection (a) of
8 this section.

9 (c)(1) Unless the tenant agrees in writing to accept responsibility to
10 renovate, remodel, or complete the renovation, remodeling, or construction of
11 real property, the provisions of subsection (a) of this section supersede any
12 contrary provision of an oral or written lease or rental agreement.

13 (2) This section does not excuse a tenant from paying rent or
14 prevent a landlord from exercising any remedy upon the tenant's default under
15 a rental or lease agreement.

16 (3) A landlord shall be deemed in compliance with subsection (a)
17 of this section if the landlord supplies the tenant at the time of initial
18 possession a written form with which to note any defects in the items listed
19 in subsection (a) of this section and the tenant:

20 (A) Signs the form without noting a defect in an item
21 listed in subsection (a) of this section; or

22 (B) Fails to return the form to the landlord within two
23 (2) business days.

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