

EXTERIOR, OR OTHER SURFACE THAT IS EASILY ACCESSIBLE TO A CHILD OF A RESIDENTIAL PREMISE WITHIN 20 DAYS AFTER NOTICE THAT LEAD BASED PAINT IS PRESENT ON THE SURFACES OF THE RESIDENCE, THE LESSEE MAY DEPOSIT HIS RENT IN AN ESCROW ACCOUNT WITH THE CLERK OF THE DISTRICT COURT FOR THE DISTRICT IN WHICH THE PREMISES ARE LOCATED.

(B) OTHER RIGHTS OR REMEDIES.

THE RIGHT OF A LESSEE TO DEPOSIT RENT IN AN ESCROW ACCOUNT DOES NOT PRECLUDE HIM FROM PURSUING ANY OTHER RIGHT OR REMEDY AVAILABLE TO HIM AT LAW OR EQUITY AND IS IN ADDITION TO THEM.

(C) RELEASE OF ESCROW ACCOUNT.

MONEY DEPOSITED IN AN ESCROW ACCOUNT SHALL BE RELEASED UNDER THE FOLLOWING TERMS AND CONDITIONS:

(I) TO THE LESSOR ON CERTIFICATION BY THE APPROPRIATE LOCAL HEALTH AUTHORITY THAT THE PREMISES HAVE BEEN INSPECTED AND THAT ALL LEAD BASED PAINT VIOLATIONS HAVE BEEN CORRECTED; OR

(II) TO THE LESSEE OR ANY OTHER PERSON WHO HAS CORRECTED THE LEAD BASED PAINT VIOLATIONS ON PRESENTATION OF A BILL FOR THE COSTS OF CORRECTING THE VIOLATIONS AND A CERTIFICATION BY THE APPROPRIATE LOCAL HEALTH AUTHORITY THAT THE PREMISES HAVE BEEN INSPECTED AND THAT ALL LEAD BASED PAINT VIOLATIONS HAVE BEEN CORRECTED.

(D) PROHIBITION ON LESSOR.

A LESSEE MAY NOT BE EVICTED, THE TENANCY MAY NOT BE TERMINATED, AND THE RENT MAY NOT BE RAISED FOR A LESSEE WHO ELECTS TO SEEK THE REMEDIES UNDER THIS SECTION. IT SHALL BE PRESUMED THAT ANY ATTEMPT TO EVICT THE LESSEE, TO TERMINATE THE TENANCY, OR TO RAISE THE RENT, EXCEPT FOR NONPAYMENT OF RENT TO AN ESCROW AGENT, WITHIN TWO MONTHS AFTER THE CERTIFICATION THAT VIOLATIONS HAVE BEEN CORRECTED IS IN RETALIATION FOR LESSEE'S PROCEEDING UNDER THIS SECTION AND SHALL BE VOID.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1977.

Approved March 31, 1977.

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CHAPTER 35

(Senate Bill 63)

AN ACT concerning