

Rights of Maine Renters: Tips Before You Rent

Pine Tree Legal Assistance

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Lease or Rental Agreement

Is there a lease?

You have [rights as a renter under Maine law](#) even if you don't have a lease. But if there is a lease or rental agreement, you and the landlord have to follow its terms. Read the lease or rental agreement carefully before you sign or put money down. Ask about anything you don't understand.

Did you know?

The maximum late fee in Maine is 4% of the monthly rent.

Your landlord can't charge you a late fee unless it is in your lease or rental agreement.

How much is the rent?

Is rent paid monthly or weekly? Find out how the landlord wants you to pay. Will they come pick it up? Do you have to drop it off somewhere? If you pay cash they have to give you a receipt.

If you share the rent, remember that the landlord can charge you for all of the rent if your roommates don't pay their share.

How can you get in touch with the landlord?

Make sure you get the landlord's contact information. Write down their phone number and mailing address. Find out how they want you to contact them in case of an emergency.

Utilities

Find out who pays for utilities and other costs:

- Heat
- Hot water
- Electricity
- Parking
- Snow removal
- Trash disposal

Did you know?

You have the right to know the energy costs for electricity or heat for a unit before you rent.

- Ask the energy supplier for the billing for the last 12 months.
- Ask to see the landlord's "[Energy Efficiency Disclosure Statement](#)"

Find out how the utilities are controlled:

- Where are the breakers?
- Where is the thermostat? Who controls it?

- Does every unit in the building have its own meter or fuel tank? It is against the law for your landlord to make you pay for other tenants' utilities.

Health and Safety

What are the conditions of the rental unit?

- Appliances: Do they work? If not, will your landlord agree in writing to fix or replace them?
- Windows and doors: Are there locks? Screens?
- Smoke detectors and carbon monoxide detectors: Where are they? How many?
- Damages: Are there any damages to the walls, doors, floors, or ceiling?

Write notes and take pictures before you move in so you can show that you didn't cause these damages. If your landlord agrees to fix something and it really matters to you, get it in writing. Don't rely on their word.

Have there been bedbugs in the building?

It is against the law for a landlord to rent an apartment, house, or mobile home with bedbugs. If you ask when the building was last treated and declared free of bedbugs the landlord has to tell you.

Are there any lead paint hazards?

If the building was built before 1978 your landlord should warn you about lead-based paint problems and hazards with a notice. Kids have a higher risk of lead poisoning.

Make sure you get your security deposit back when you move out! Make a record of the place before you move in. Take pictures of any problems. Ask your landlord to sign this. **Print out our checklist so you don't forget anything.**

Example:

- Living room:
 - Torn screens in 2 windows
- Kitchen:
 - One loose cabinet handle
- Master bedroom:
 - Damage to door – loose doorknob and cracked wood
- Bathroom
 - Stain on the floor near tub

Security Deposits

Does the landlord want you to put money down to “hold the apartment”?

Be careful about putting money down to “hold the apartment.” If you decide not to rent it the landlord can refuse to return the money. You will have to sue them in Small Claims Court to try to get it back.

How much is the security deposit?

Maine law says the security deposit shouldn't be more than two times the monthly rent.

Where does your landlord keep the security deposit?

Security deposits are your money that a landlord is just holding. They can only use it after you move out to cover rent owed or damages you cause to the apartment.

Fill out [our checklist](#) when you move in so you can make sure that you get your security deposit back when you move out.

Don't forget to get a receipt!

[Check out our security deposit guide for more information.](#)

While you live there your landlord has to keep your security deposit in a special bank account. If their business goes under or they declare bankruptcy your security deposit would be safe in this account.

What if my landlord wants me to buy a surety bond?

Be careful about surety bonds. Here are some rules about them:

- Your landlord can't force you to buy one. It's your choice.
- You will not get the money back that you paid for the bond, even if you don't owe the landlord anything when you move out.
- If you do owe money for rent or damages when you move out, the surety company can choose to sue you for money it pays to your landlord.

Other

Is there a smoking policy?

This tells you where you can and can't smoke. You have the right to know this information before you pay a deposit or sign a lease or rental agreement.

What is the parking policy?

Do you need a sticker to park in a lot or driveway? Where can your guests park?

If there is only street parking make sure you learn about the town's street parking policy. If your car gets towed during a snow ban or street cleaning, your landlord probably won't pay the bill.

What is the pet policy?

Are pets allowed? Do you have to pay a pet deposit?

Did you know?

Your landlord can't tell you what kind of service animal you can or can't get even if their insurance policy bans certain animals or breeds.

[If your landlord says you can't have your service animal contact Pine Tree Legal.](#)

Pet policies do not apply to service animals because service animals are not pets. You don't have to pay a pet deposit for a service animal but your landlord can charge you for damages caused by your service animal.

If you have a service animal or if you need to get one while you live somewhere you should give your landlord written notice. You should also give them a letter from your doctor or therapist.

Thanks for reading our tips. [Print out the checklist](#) so you don't forget to ask your landlord these questions before you move in!