

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1834

By: Simpson

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6 AS INTRODUCED

7 An Act relating to rental agreements; amending 41
8 O.S. 2011, Section 118, which relates to duties of
9 landlords and tenants; requiring provision of certain
10 disclosure to prospective tenants; providing
standards for disclosures; requiring certain
acknowledgement of disclosure; providing definition;
and providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 41 O.S. 2011, Section 118, is
15 amended to read as follows:

16 Section 118. A. A landlord shall at all times during the
17 tenancy:

18 1. Except in the case of a single-family residence, keep all
19 common areas of his building, grounds, facilities and appurtenances
20 in a clean, safe and sanitary condition;

21 2. Make all repairs and do whatever is necessary to put and
22 keep the tenant's dwelling unit and premises in a fit and habitable
23 condition;

1 3. Maintain in good and safe working order and condition all
2 electrical, plumbing, sanitary, heating, ventilating, air-
3 conditioning and other facilities and appliances, including
4 elevators, supplied or required to be supplied by him;

5 4. Except in the case of one- or two-family residences or where
6 provided by a governmental entity, provide and maintain appropriate
7 receptacles and conveniences for the removal of ashes, garbage,
8 rubbish and other waste incidental to the occupancy of the dwelling
9 unit and arrange for the frequent removal of such wastes; and

10 5. Except in the case of a single-family residence or where the
11 service is supplied by direct and independently metered utility
12 connections to the dwelling unit, supply running water and
13 reasonable amounts of hot water at all times and reasonable heat.

14 B. The landlord and tenant of a dwelling unit may agree by a
15 conspicuous writing independent of the rental agreement that the
16 tenant is to perform specified repairs, maintenance tasks,
17 alterations or remodeling.

18 C. Prior to the commencement of a rental agreement, if a
19 landlord knows or has reason to know that the dwelling unit or any
20 part of the premises was used in the manufacture of methamphetamine,
21 the landlord shall disclose this information to a prospective
22 tenant. Provided however, if the landlord has had the level of
23 contamination assessed within the dwelling unit or pertinent part of
24 the premises, and it has been determined that the level of

1 contamination does not exceed one-tenth of one microgram (0.1 mcg)
2 per one hundred square centimeters (100 cm²) of surface materials
3 within the dwelling unit or pertinent part of the premises, no
4 disclosure shall be required.

5 D. Prior to the commencement of a rental agreement for a multi-
6 unit structure, the landlord shall provide to a prospective tenant a
7 smoking policy disclosure in writing that notifies the prospective
8 tenant of the landlord's policy regarding smoking on the premises.
9 The smoking policy disclosure shall state whether smoking is
10 prohibited on the premises, allowed on the entire premises, or
11 allowed in limited areas on the premises. If the smoking policy
12 allows smoking in limited areas on the premises, the disclosure
13 shall identify the areas on the premises where smoking is allowed.
14 Prior to the commencement of a rental agreement, the landlord shall
15 obtain a written acknowledgement of the disclosure of the smoking
16 policy from the prospective tenant. For purposes of this
17 subsection, "multi-unit structure" means a structure within multiple
18 residential units that provide independent living facilities for
19 sleeping, cooking, eating and sanitation within each unit.

20 SECTION 2. This act shall become effective November 1, 2014.

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