



State of Tennessee

PUBLIC CHAPTER NO. 960

HOUSE BILL NO. 2439

By Representatives Terry, Lamberth, Powell, Mark White

Substituted for: Senate Bill No. 2556

By Senator Hensley

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 21; Title 13, Chapter 20; Title 33; Title 39; Title 44, Chapter 17; Title 44, Chapter 8, Part 4 and Title 66, relative to landlords and tenants.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 66-7-109, is amended by adding the following as a new subsection (g):

(1) It is deemed to be material noncompliance and default by the tenant with the rental agreement, if the tenant pretends to have a disability-related need for an assistance animal in order to obtain an exception to a provision in a rental agreement that prohibits pets or establishes limits on the types of pets that tenants may possess on residential rental property. As used in this subsection (g), "assistance animal" means an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one (1) or more identified symptoms or effects of a person's disability.

(2) The landlord may recover damages and obtain injunctive relief for any noncompliance and default by the tenant with the rental agreement under this subsection (g). The landlord may recover reasonable attorney's fees for breach of contract and nonpayment of rent as provided in the rental agreement.

(3) A provision in a rental agreement that authorizes a landlord to hold a tenant in breach or default of the rental agreement in accordance with this subsection (g) is not unconscionable and is fully enforceable.

SECTION 2. Tennessee Code Annotated, Section 66-28-505, is amended by adding the following new subsection:

(f) It is deemed to be material noncompliance by the tenant with the rental agreement, if the tenant pretends to have a disability-related need for an assistance animal in order to obtain an exception to a provision in a rental agreement that prohibits pets or establishes limits on the types of pets that tenants may possess on residential rental property. As used in this subsection (f), "assistance animal" means an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one (1) or more identified symptoms or effects of a person's disability.

SECTION 3. Tennessee Code Annotated, Section 66-28-204, is amended by adding the following as a new subsection:

() A provision in a rental agreement that authorizes a landlord to hold a tenant in breach of the rental agreement in accordance with § 66-28-505(f) is not unconscionable and is fully enforceable.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to any rental agreement entered into or renewed on or after that date.

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PASSED: April 24, 2018

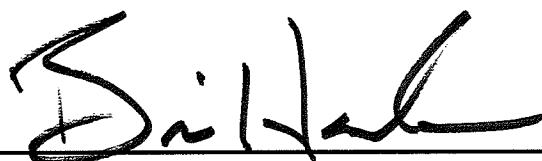


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 15th day of May 2018



BILL HASLAM, GOVERNOR