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LC002077
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

Introduced By: Senators Bissaillon, Mack, Britto, Acosta, Gu, Murray, and Bell

Date Introduced: March 07, 2025

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-18-37 of the General Laws in Chapter 34-18 entitled "Residential
2 Landlord and Tenant Act" is hereby amended to read as follows:

3 **34-18-37. Termination of periodic tenancy.**

4 (a) The landlord or the tenant may terminate a week-to-week tenancy by a written notice,
5 in a form substantially similar to that provided in § 34-18-56(c), delivered to the other at least ten
6 (10) days before the termination date specified in the notice.

7 (b) The landlord or the tenant may terminate a month-to-month tenancy or any periodic
8 tenancy for more than a month or less than a year by a written notice, in a form substantially similar
9 to that provided in § 34-18-56(c), delivered to the other at least ~~thirty (30)~~ sixty (60) days before
10 the date specified in the notice, or at least one hundred twenty (120) days before the date specified
11 in the notice for tenants aged sixty-two (62) years or older.

12 (c) The landlord or tenant may terminate a year-to-year tenancy by written notice, in a form
13 substantially similar to that provided in § 34-18-56(c), delivered to the other at least three (3)
14 months prior to the expiration of the occupation year.

15 SECTION 2. Section 34-18-56 of the General Laws in Chapter 34-18 entitled "Residential
16 Landlord and Tenant Act" is hereby amended to read as follows:

17 **34-18-56. Notices and complaint forms.**

18 (a) A notice in substantially the following language shall suffice for the purpose of giving
19 a tenant a five (5) day demand for payment of rent prior to commencement of an eviction pursuant

1 to § 34-18-35:

2 FIVE-DAY DEMAND NOTICE FOR NONPAYMENT OF RENT

3 R.I.G.L. 34-18-35

4 Date of Mailing: _____

5 TO: _____

6 (tenant)

7 _____

8 _____

9 You are now more than fifteen days in arrears for some or all of the rent owed under your
10 rental agreement. State law requires that you be sent this Notice of arrearage.

11 Unless you make payment of all rent in arrears within five days of the date this notice was
12 mailed to you, an eviction action may be instituted in court against you. You can prevent the
13 eviction by paying all rent owing within five days of the mailing of this notice.

14 If you believe you have a legal reason for not paying this rent, you will be able to present
15 that defense at the eviction hearing. The rent in arrears as of the above date is \$_____.

16 _____

17 (signature)

18 _____

19 _____

20 (name and address of land-lord/owner)

21 I certify that I placed in regular U.S. mail, first class postage prepaid, a copy of this Notice,
22 addressed to the tenant, on the _____ day of _____, 20____.

23 _____

24 (landlord or owner signature)

25 (b) A notice in substantially the following language shall suffice for the purpose of giving
26 a tenant a notice of noncompliance with the rental agreement pursuant to § 34-18-36:

27 NOTICE OF NONCOMPLIANCE

28 R.I.G.L. 34-18-36

29 Date of Mailing: _____

30 TO: _____

31 (tenant)

32 _____

33 _____

34 (address)

You are in breach of your rental agreement, or of your legal duties under R.I.G.L. 34-18-24, because you:

(provide details)

To remedy this situation you must do the following within twenty days of the date of mailing of this Notice:

If you do not remedy this situation within twenty days, your rental agreement will terminate without further notice on _____ (date, which must be not less than twenty-one days from the date of mailing of this Notice). (NOTE: Under the law you lose this right to remedy your noncompliance if this is the second notice on the same subject within the past six months.) After that date an eviction case may begin in court, and you may be served with a complaint. You will have the right to a hearing and to present any defenses you believe you have.

(signature)

(name and address of land-lord/owner)

I certify that I placed in regular U.S. mail, first class postage prepaid, a copy of this Notice,
addressed to the tenant, on the _____ day of _____, 20_____.

(landlord or owner signature)

(c) A notice in substantially the following language shall suffice for the purpose of giving a tenant notice of termination of tenancy pursuant to § 34-18-37:

NOTICE OF TERMINATION OF TENANCY

R.I.G.L. 34-18-37

Date of Mailing: _____

TO:

(tenant)

1 (address)

2 You are hereby directed to vacate and remove your property and personal possessions from

3 the premises located at _____

4 (address of premises)

5 and deliver control of the premises to the landlord/owner on the first day after the ~~end of your~~

6 ~~current rental period, namely~~ _____, 20____ rental period.

7 (insert date)

8 This notice is given for the purpose of terminating your tenancy. You must continue to pay

9 rent as it becomes due until the date indicated above. If you fail to pay that rent, a nonpayment

10 eviction action may be instituted against you.

11 If you fail to vacate the premises by the date specified, an eviction may be instituted against

12 you without further notice. If you believe you have a defense to this termination, you will be able

13 to raise that defense at the court hearing.

14 _____

15 (signature)

16 _____

17 _____

18 (name and address of land-lord/owner)

19 I certify that I placed in regular U.S. mail, first class postage prepaid, a copy of this Notice,

20 addressed to the tenant, on the _____ day of _____, 20____.

21 _____

22 (landlord or owner signature)

23 (d) A complaint in substantially the following language shall suffice for the purpose of

24 commencing an eviction action for nonpayment of rent pursuant to § 34-18-35:

25 State of Rhode Island

26 _____, Sc. DISTRICT COURT

27 _____ DIVISION

28 PLAINTIFF DEFENDANT

29 _____

30 (Landlord's Name) (Tenant's Name)

31 V

32 _____

33 _____

34 _____

1

(address)

(address of rental premises)

2

COMPLAINT FOR EVICTION

3

FOR NONPAYMENT OF RENT

4

R.I.G.L. 34-18-35

5

1. Plaintiff is the owner/landlord of the rental premises listed above, in which the Defendant

6

Tenant currently resides.

7

2. Defendant is more than fifteen days in arrears in rental payments due to the plaintiff from

8

the defendant. The rent is \$_____ per _____, and the amount in arrears is \$_____

9

as of the _____ day of _____, 20_____.

10

(month)

11

3. Plaintiff has served the five-day demand notice as required by law, and a copy of that

12

notice is attached to this complaint. The notice was mailed to the defendant on the _____ day

13

of _____, 20_____.

14

4. Defendant has not paid the rent in arrears or offered the full amount in arrears, either

15

before or after the demand notice. Defendant remains in possession of the rental premises.

16

WHEREFORE, Plaintiff requests that this Court grant a judgment for possession of the

17

premises (eviction of the tenant) and for back rent in the amount of \$_____, plus costs.

18

19

(Name & address of landlord/owner

20

or attorney for landlord)

21

22

Date complaint filed with clerk _____

23

(e) A complaint in substantially the following language shall suffice for the purpose of

24

commencing an eviction action for noncompliance with the rental agreement pursuant to § 34-18-

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36, or an eviction action for unlawfully holding over after expiration or termination of the tenancy

26

pursuant to § 34-18-38:

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STATE OF RHODE ISLAND

28

_____, Sc.

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DISTRICT COURT

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_____ DIVISION

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PLAINTIFF

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DEFENDANT

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(Landlord's Name)

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(Tenant's Name)

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(address)

(address of rental premises)

COMPLAINT FOR EVICTION

FOR REASON OTHER THAN

NONPAYMENT OF RENT

R.I.G.L. 34-18-36

R.I.G.L. 34-18-38

1. Plaintiff Landlord(s) owns the rental premises listed above, in which the Defendant Tenant(s) resides.

2. CHECK ONE:

_____ Defendant breached the tenant's obligations under the rented agreement or § 34-18-24 as set forth in the attached copy of the notice of noncompliance which was mailed to the defendant. Defendant has not cured or remedied the breach. (Plaintiff must attach copy of required notice of noncompliance.)

_____ Defendant has remained in possession of the rented premises following the period set forth in the attached notice of termination of tenancy which was mailed to defendant. (Plaintiff must attach copy of required termination notice.)

_____ Defendant breached the tenants' obligations under § 34-18-24(8), (9) or (10).

3. Plaintiff seeks judgment for possession of the premises plus judgment in the amount of _____ for _____

(explain basis for money claim)

Plaintiff seeks costs and fees (if applicable).

(Signature of Landlord/Owner or Attorney)

Date complaint filed with clerk _____

(f) A complaint in substantially the following language, or in similar language, shall be sufficient for use by landlords or by tenants to bring any claims or causes of action other than eviction actions:

NOT FOR EVICTION

State of Rhode Island

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_____, Sc.

PLAINTIFF

(Name)

(address)

(address of rental premises)

DISTRICT COURT

DIVISION
DEFENDANT

(Name)

V

LANDLORD-TENANT COMPLAINT
(NOT FOR USE IN EVICTIONS)

1.Plaintiff is the ____ Tenant ____ Landlord/Owner of the rental premises at

(address of rental premises)

2. Defendant is the ____ Tenant ____ Landlord/Owner.

3. Plaintiff claims that defendant has breached the obligations of the rental agreement or
law in relation to this landlord-tenant relationship, as follows:

(brief description of claim, attach extra sheet, if necessary)

4. Plaintiff seeks the following judgment or relief from the Court:

Date Complaint Filed

With Clerk: _____
(Signature of plaintiff or plaintiff's
attorney)

(address)

(g) The summons in an action for eviction for nonpayment of rent pursuant to § 34-18-35
shall be in substantially the following form:
STATE OF RHODE ISLAND

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DISTRICT COURT SUMMONS

EVICTIION-NONPAYMENT OF RENT

DIVISION COUNTY CIVIL ACTION-FILE NO.

Address of Court:

(name & address of plaintiff landlord) (name & address of defendant-tenant)

TO THE TENANT: You are served with an eviction complaint for nonpayment of rent. If you do nothing, you will lose by default and be evicted. If you claim any defense, you must complete the enclosed ANSWER and file it with the Court Clerk at or before the hearing date. You should also mail a copy to the landlord or the landlord's lawyer. Your hearing will be at 9:30 A.M. on the hearing date, at the court address listed above. You should go to the hearing or you may lose by default. If you think the case is "settled," you should still go to the hearing to make sure the settlement is in the court record.

YOUR HEARING DATE IS: _____.

(Proof of Service on next page)

PROOF OF SERVICE

I hereby certify that I served a copy of the Complaint and Summons & Answer upon the defendant(s) by delivering or leaving said papers in the following manner:

_____ to the defendant personally; or

_____ at his or her dwelling unit or usual place of abode at the address listed below with a person of suitable age then residing therein; or

_____ if none be found, by posting conspicuously on the door to the defendant's dwelling unit.

ADDRESS OF DWELLING OR USUAL PLACE OF ABODE:

NAME OF PERSON OF SUITABLE AGE:

SERVICE DATE: _____

DEPUTY SHERIFF/CONSTABLE: _____

CERTIFICATE OF SERVICE

1 I hereby certify that a copy of this Complaint and Summons was placed into regular U.S.
2 Mail, postage prepaid, on the _____ day of _____, 20____, addressed
3 to defendant at the following address:

4 _____.

5 _____
6 (Signature of _____ Clerk)

7 (h) The summons in an action for eviction for noncompliance with the rental agreement
8 pursuant to § 34-18-36, or for unlawfully holding over after termination or expiration of tenancy
9 pursuant to § 34-18-38, shall be in substantially the following form:

10 State of Rhode Island

11 District Court Summons

12 EVICTION FOR REASON OTHER THAN NONPAYMENT OF RENT

13 DIVISION COUNTY CIVIL ACTION-FILE NO. _____

14 Address of Court:

15 _____

16 V

17 _____

18 _____

19 (name & address of plaintiff landlord) (name & address of defendant- tenant)

20 TO THE TENANT: You are served with an eviction complaint for noncompliance with
21 rental agreement (R.I.G.L. 34-18-36), or for unlawfully holding over after termination or expiration
22 of tenancy (R.I.G.L. 34-18-38). If you do nothing, you will lose by default and be evicted. If you
23 claim any defense, you must complete the enclosed ANSWER and file it with the Court Clerk
24 within TWENTY (20) days after you are served with this summons and complaint. You should also
25 mail a copy of the ANSWER to the landlord or the landlord's lawyer. If you file the enclosed
26 ANSWER, then you will receive another written notice telling you when the hearing will be. If you
27 have any questions, you may consult a lawyer. If you think the case is "settled" you should still file
28 the enclosed ANSWER or be sure that the written settlement is in the file at the Clerk's office.

29 (Proof of Service on next page)

30 _____

31 PROOF OF SERVICE

32 I hereby certify that I served a copy of the Complaint, Summons, and Answer form upon
33 the defendant(s) by delivering or leaving said papers in the following manner:

34 _____ to the defendant personally

1 be taken against you for the relief demanded in the complaint.

2 _____
3 DATE CLERK
4 _____
5 SEAL OF THE DISTRICT COURT DATE RECEIVED
6 _____

7 PROOF OF SERVICE

8 I hereby certify that on the date below I served a copy of this summons and a copy of the
9 complaint received herewith upon the above-named defendant by delivering or leaving said papers
10 in the following manner:

- 11 ☐ to the defendant personally.
- 12 ☐ at his dwelling house or usual place of abode at the address entered below, with a
13 person of suitable age and discretion then residing therewith.
- 14 ☐ to an agent named below authorized by appointment or by law to receive service
15 of process.
- 16 ☐ Further notice as required by statute was given as noted on the reverse side.

17 _____
18 Address of Dwelling or Usual Place of Abode
19 _____

20 Name of Authorized Agent or Person of Suitable Age
21 _____
22 Date Deputy Sheriff/Constable
23 _____
24 SERVICE FEE \$ _____

25 (j) The blank answer served in eviction actions shall be in substantially the following form:

26 State of Rhode Island
27 _____, Sc. DISTRICT COURT
28 _____ DIVISION
29 PLAINTIFF DEFENDANT
30 _____
31 (Landlord's Name) (Tenant's Name)
32 V
33 _____
34 _____

1 (address) (address of rental premises)

2 INSTRUCTIONS TO THE DEFENDANT

3 Listed below are several possible defenses to the eviction action your landlord has filed
4 against you. If one or more of these defenses apply to your case, check the appropriate box(es). If
5 space is provided, write in facts in support of that defense. Use additional paper if necessary. Some
6 of these defenses are technical, and there may be others not listed here. You may consult a lawyer
7 and seek representation before filling out this Answer.

8 TENANT'S ANSWER

9 The complaint against me is untrue or fails to state the following facts:

10 I offered rent, but my landlord refused it. I am still able and willing to pay the rent.

11 I have a defense for nonpayment because the landlord has failed to maintain the premises
12 in a fit and habitable condition.

13 My rent has not been paid, but I have a legally justifiable defense for not paying:

14 I have a written lease which does not expire until:

15 I have not received the required notice from the landlord before this complaint was served
16 on me.

17 The landlord is trying to evict me because I have exercised my legal rights by calling code
18 enforcement officials, or by taking the following protected action:

19 I have other defenses as follow:

20 WHEREFORE: Because of the defense(s) indicated above, I ask the court to grant a
21 judgment in my favor and not order me to be evicted.

22 COUNTERCLAIM

23 Instructions: If you believe you are entitled to be awarded damages or money for any reason
24 from your landlord, you may fill out the statement below:

25 I hereby sue my landlord for the amount of \$_____.

26 I believe I am entitled to receive an award of this amount because

27 _____

28 _____

29 Name of Defendant (or attorney) Signature of Defendant

30 _____

31 Address

32 _____

33 Telephone number

1 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PROPERTY -- RESIDENTIAL LANDLORD AND TENANT ACT

- 1 This act would increase the notification time about rent increases and termination of
- 2 tenancy for month-to-month tenants.
- 3 This act would take effect upon passage.

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