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# STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2003

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A N A C T

RELATING TO PROPERTY - RESIDENTIAL LANDLORD AND TENANT ACT

Introduced By: Senator Michael J. McCaffrey

Date Introduced: February 13, 2003

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

- 1           SECTION 1. Section 34-18-24 of the General Laws in Chapter 34-18 entitled  
2 "Residential Landlord and Tenant Act" is hereby amended to read as follows:
- 3           **34-18-24. Tenant to maintain dwelling unit. Tenant obligations.** -- A tenant shall:
- 4           (1) The tenant shall ~~C~~comply with all obligations primarily imposed upon tenants by  
5 applicable provisions of building and housing codes materially affecting health and safety;
- 6           (2) The tenant shall ~~K~~keep that part of the premises that he or she occupies and uses as  
7 clean and safe as the condition of the premises permit;
- 8           (3) The tenant shall ~~D~~dispose from his or her dwelling unit all ashes, garbage, rubbish,  
9 and other waste in a clean and safe manner;
- 10           (4) The tenant shall ~~K~~keep all plumbing fixtures in the dwelling unit or used by the  
11 tenant as clean as their condition permits;
- 12           (5) The tenant shall ~~U~~use in a reasonable manner all electrical, plumbing, sanitary,  
13 heating, ventilating, air-conditioning, and other facilities and appliances, including elevators, in  
14 the premises;
- 15           (6) The tenant shall ~~N~~not deliberately or negligently destroy, deface, damage, impair, or  
16 remove any part of the premises or knowingly permit any person to do so;
- 17           (7) The tenant shall ~~C~~conduct himself or herself, and require other persons on the  
18 premises with his or her consent to conduct themselves, in a manner that will not disturb his or  
19 her neighbors' peaceful enjoyment of the premises;

1           (8) ~~Refrain from using any part of the premises in a manner such as would constitute the~~  
2 ~~maintaining of a narcotics nuisance under the provisions of section 21-28-4.06; The tenant or any~~  
3 ~~authorized occupant of the premises shall not have, keep, or allow illegal drugs, of any type or~~  
4 ~~quantity, on the premises. The presence of drugs on the premises, whether or not with knowledge~~  
5 ~~by the tenant, shall be a violation of this section, and shall be grounds for eviction as provided in~~  
6 ~~section 34-18-36(g). Further, the arrest of a tenant or authorized occupant for criminal drug~~  
7 ~~activity whether or not on the premises, shall be grounds for eviction under section 34-18-36(g) if~~  
8 ~~the landlord proves by a preponderance of the evidence that the tenant or authorized occupant~~  
9 ~~was in possession of drugs at the time of his/her arrest;~~

10           (9) ~~Refrain from using any part of the premises or any public property adjacent thereto~~  
11 ~~for the manufacture, sale, or delivery of a controlled substance or from possessing on the~~  
12 ~~premises or any public property adjacent thereto with the intent to manufacture, sell, or deliver a~~  
13 ~~controlled substance classified in schedule I or schedule II of chapter 28 of title 21; and The~~  
14 ~~tenant shall not commit or allow the commission of a violent act against another person on the~~  
15 ~~premises or any public property adjacent to or in the immediate proximity of the premises. A~~  
16 ~~violent act shall include, but not be limited to, striking or attempting to strike another person, or~~  
17 ~~otherwise making or causing to be made unwanted physical contact with another person;~~  
18 ~~unconsented to sexual contact with another person; and any crime against person or property~~  
19 ~~prohibited under the criminal statutes of the state or federal government, including misdemeanor~~  
20 ~~or felony offenses. An arrest or charge under the criminal law shall not be required to maintain an~~  
21 ~~eviction case under this section.~~

22           (10) ~~Refrain from any crime of violence on the premises or on any public property~~  
23 ~~adjacent to said premises. A "crime of violence" means and includes any of the following crimes~~  
24 ~~or an attempt to commit any of the following crimes; murder, manslaughter, arson, rape, sexual~~  
25 ~~assault, mayhem, kidnapping, assault with a dangerous weapon, assault or battery involving grave~~  
26 ~~bodily injury, and a felony assault with intent to commit any offense.~~

27           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1 This act would clarify the tenant's obligations to the landlord.
- 2 This act would take effect upon passage.

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