

1 HB141
2 126255-1
3 By Representative Boothe
4 RFD: Commerce and Small Business
5 First Read: 03-MAR-11

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8 SYNOPSIS: Under existing law, certain public housing
9 authorities are regulated by the United States
10 Department of Housing and Urban Development.

11 This bill would exempt from the Alabama
12 Uniform Residential Landlord and Tenant Act
13 occupancy agreements directly administered by city,
14 county, and regional public housing authorities
15 according to rules and regulations of the United
16 States Department of Housing and Urban Development.

17
18 A BILL

19 TO BE ENTITLED

20 AN ACT

21
22 To amend Section 35-9A-122, Code of Alabama 1975, to
23 exempt from the Uniform Residential Landlord and Tenant Act
24 occupancy agreements administered by certain public housing
25 authorities pursuant to rules and regulations of the United
26 States Department of Housing and Urban Development.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 35-9A-122, Code of Alabama 1975,
2 is amended to read as follows:

3 "§35-9A-122.

4 "(a) Unless created to avoid the application of this
5 chapter, the following arrangements are not governed by this
6 chapter:

7 "(1) residence at an institution, public or private,
8 if incidental to detention or the provision of medical,
9 geriatric, educational, counseling, religious, or similar
10 service;

11 "(2) occupancy under a contract of sale of a
12 dwelling unit or the property of which it is a part, if the
13 occupant is the purchaser or a person who succeeds to the
14 interest of the purchaser;

15 "(3) occupancy by a member of a fraternal or social
16 organization in the portion of a structure operated for the
17 benefit of the organization;

18 "(4) transient occupancy in a hotel, motel, or
19 lodgings;

20 "(5) occupancy by an employee of a landlord whose
21 right to occupancy is conditional upon employment in and about
22 the premises;

23 "(6) occupancy by an owner of a condominium unit or
24 a holder of a proprietary lease in a cooperative;

25 "(7) occupancy under a rental agreement covering
26 premises rented by the occupant primarily for agricultural
27 purposes;

1 "(8) continuation of occupancy by the seller or a
2 member of the seller's family for a period of not more than 36
3 months after the sale of a dwelling unit or the property of
4 which it is a part.

5 "(b) The occupancy of residential rental property
6 which is regulated pursuant to rules and regulations of the
7 United States Department of Housing and Urban Development and
8 that is directly administered by a city, county, or regional
9 public housing authority is exempt from this chapter."

10 Section 2. This act shall become effective on the
11 first day of the third month following its passage and
12 approval by the Governor, or its otherwise becoming law.