

HOUSE BILL NO. 1387

Introduced by

Representatives Kasper, Dosch, Ruby, Weiler

Senator Miller

1 A BILL for an Act to create and enact a new section to chapter 51-07 of the North Dakota
2 Century Code, relating to the authorization of installation of fixtures on a rental property; and to
3 provide a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 51-07 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Authorization for installation of fixtures on rental property - Penalty.**

- 8 1. A person that installs a fixture, including an antenna, a satellite dish, or other
9 receiver, on the residential real property of another without the consent of the
10 landlord or owner is guilty of a class B misdemeanor. In addition, that person is
11 subject to treble damages for any damage caused by the installation and treble
12 damages are deemed to be at least two hundred dollars.
- 13 2. A contract for the provision of a service which requires the installation of a fixture,
14 including an antenna, a satellite dish, or other receiver, on the residential real
15 property of the customer must include directly below the signature line for the
16 customer's acceptance of the contract a statement in at least ten-point bold-faced
17 type: "The signature of the landlord, not the tenant, is required below for
18 installation. Failure to receive the landlord's signature may subject the tenant and
19 installer to criminal and civil liability." Directly below that statement must be a
20 signature line for the owner or landlord to approve the installation. Directly below
21 that signature line for the owner or landlord must be a statement in at least
22 ten-point bold-faced type: "Signature of landlord or owner. Improper signature
23 subjects signer and installer to criminal and civil penalties." A service provider that

- 1 fails to include the statements required by this subsection is subject to a civil
2 penalty of one thousand dollars for each violation.
- 3 3. A tenant who signs the landlord's authorization of installation without the consent of
4 the landlord, is guilty of a class B misdemeanor. In addition, the tenant is subject
5 to treble damages for any damage caused by the installation and treble damages
6 are deemed to be at least two hundred dollars which may be immediately removed
7 from any damage deposit, which the landlord may require replaced as a condition
8 of continuing the lease.