

2022 Regular Session

SENATE BILL NO. 233

BY SENATOR MCMATH

HOUSING. Provides for renters rights. (8/1/22).

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AN ACT

To amend and reenact Civil Code Art. 2696 and R.S. 9:3260, relative to leases; to provide for obligations of the lessor; to provide for premises to be leased; to provide for lessee's rights; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Art. 2696 is hereby amended and reenacted to read as follows:

Art. 2696. Warranty against vices or defects

The lessor warrants the lessee that the thing is suitable for the purpose for which it was leased and that it is free of vices or defects that prevent its use for that purpose. **The purpose of a lease of a dwelling or residential property is presumed to be for habitation.**

This warranty also extends to vices or defects that arise after the delivery of the thing and are not attributable to the fault of the lessee.

Section 2. R.S. 9:3260 is hereby amended and reenacted to read as follows:

§3260. Premises rendered uninhabitable; mitigation of damages

When a lessee or tenant of commercial, residential, or dwelling premises has been constructively evicted from the premises, and when the premises are rendered

1 uninhabitable through no fault of the lessee or tenant, the landlord or lessor shall be  
2 required to **reasonably** mitigate his damages.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Tyler S. McCloud.

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SB 233 Original	DIGEST 2022 Regular Session	McMath
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Proposed law provides there is presumption that the purpose of a lease of a dwelling or residential property is for habitation.

Present law requires a landlord or lessor to mitigate his damages to constructively evict a tenant. Proposed law requires the mitigation be reasonable.

(Amends C.C. 2696 and R.S. 9:3260)