

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 HOUSE BILL 2394

 By: **Phillips**

7 AS INTRODUCED

8 An Act relating to landlord and tenant; amending 41
9 O.S. 2011, Section 132, which relates to the Oklahoma
10 Residential Landlord and Tenant Act; modifying
 grounds for termination of lease; and providing an
 effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 41 O.S. 2011, Section 132, is
15 amended to read as follows:

16 Section 132. A. Except as otherwise provided in the Oklahoma
17 Residential Landlord and Tenant Act, if there is a noncompliance by
18 the tenant with the rental agreement or with Section 127 of this
19 title which noncompliance can be remedied by repair, replacement of
20 a damaged item, or cleaning and the tenant fails to comply as
21 promptly as conditions require in the case of an emergency or within
22 ten (10) days after written notice served as provided in subsection
23 E of Section 111 of this title by the landlord specifying the breach
24 and requiring that the tenant remedy it within that period of time,

1 the landlord may enter the dwelling unit and cause the work to be
2 done in a workmanlike manner and thereafter submit the itemized bill
3 for the actual and reasonable cost or the fair and reasonable value
4 thereof as rent on the next date rent is due, or if the rental
5 agreement has terminated, for immediate payment. If the landlord
6 remedies the breach as provided in this subsection, the landlord may
7 not terminate the rental agreement by reason of the tenant's failure
8 to remedy the breach.

9 B. Except as otherwise provided in the Oklahoma Residential
10 Landlord and Tenant Act, if there is a material noncompliance by the
11 tenant with the rental agreement or with any provision of Section
12 127 of this title, the landlord may deliver to the tenant a written
13 notice served as provided in subsection E of Section 111 of this
14 title specifying the acts and omissions constituting the
15 noncompliance and that the rental agreement will terminate upon a
16 date not less than fifteen (15) days after receipt of the notice
17 unless remedied within ten (10) days. If the breach is not remedied
18 within ten (10) days from receipt of the notice, the rental
19 agreement shall terminate as provided in the notice. If within the
20 ten (10) days the tenant adequately remedies the breach complained
21 of, or if the landlord remedies the breach according to the
22 provisions of subsection A of this section, the rental agreement
23 shall not terminate by reason of the breach. Any subsequent breach
24 of the lease or noncompliance under this section shall be grounds,

1 upon written notice to the tenant, for immediate termination of the
2 lease.

3 C. Notwithstanding other provisions of this section, if there
4 is a noncompliance by the tenant with the rental agreement or with
5 any of the provisions of Section 127 of this title, which
6 noncompliance causes or threatens to cause imminent and irreparable
7 harm to the premises or to any person and which noncompliance is not
8 remedied by the tenant as promptly as conditions require after the
9 tenant has notice of it, the landlord may terminate the rental
10 agreement by immediately filing a forcible entry and detainer
11 action.

12 D. Any criminal activity that threatens the health, safety or
13 right of peaceful enjoyment of the premises by other tenants
14 committed by a tenant or by any member of the tenant's household or
15 any guest or other person under the tenant's control or is a danger
16 to the premises and any drug-related criminal activity ~~on or near~~
17 ~~the premises~~ by the tenant or by any member of the tenant's
18 household or any guest or other person under the tenant's control
19 shall be grounds for immediate termination of the lease.

20 SECTION 2. This act shall become effective November 1, 2019.

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22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/27/2019 - DO
23 PASS, As Coauthored.

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