

City of Portland, Maine

Rental Housing Rights

Tenant/Landlord Rights and Responsibilities

The relationships between tenants and landlords in Portland are governed, in part, by the City of Portland Code of Ordinances and the State of Maine statutes, and cover a wide variety of topics. There are various resources for additional information, including [Pine Tree Legal](#) and the State of Maine's publication "[Consumer Rights When You Rent an Apartment](#)", and others. It is recommended that concerned individuals obtain professional legal advice, as necessary.

Rent Control

Landlords of rental units in Portland, that are not otherwise exempt, may only increase the rent once within a rental year. Before increasing rent, a landlord must give tenants written, signed notice at least 75 days in advance. That notice must include the date the tenancy began, the date of the rent increase, and the reasons for the rent increase. Rent may only be increased for certain reasons and by certain amounts, such as the increase in the Consumer Price Index, certain increases in taxes, where there is a new tenant, or if a landlord requests special permission from the Rent Board. A landlord may never raise the rent more than 10% in one year.

Tenants at Will

When a tenant rents a housing unit without a written lease that tenant is a "tenant at will". Unless the unit is exempt, for tenants at will, landlords must typically provide at least 90 days written notice to tenants before they must move out. If a landlord provides \$500.00 reimbursement to the tenant, tenancies-at-will may be determined by notice at least 60 days before they must move out. If \$1,000.00 in reimbursement is provided, tenancies-at-will may be determined by notice at least 30 days before they must move out. Landlords do not have to provide a reason for asking the tenant to leave.

A landlord may evict a tenant at will with a minimum 7-day written notice if the tenant: (1) has caused serious damage to the apartment and has not repaired the damage; (2) has been a nuisance to other tenants or neighbors; (3) has made the unit unlivable or unfit to live in; (4) has changed the door locks and refused to give the landlord a key; and (5) is 7 days or more behind in rent.

Prohibited Discrimination

Housing discrimination on the basis of race, color, sex, sexual orientation, physical or mental disability, ancestry, national origin, or family status is prohibited by the City of Portland and the State of Maine. Landlords may not refuse to rent or impose terms of tenancy on any tenant who is a recipient of federal, state or local public assistance, including medical assistance and housing subsidies. Unless a unit is otherwise exempt, landlords must also comply with reasonable requirements of any subsidy program, including filling out paperwork, allowing inspections, and making reasonable repairs.

Concerns, Complaints, or Questions

If you have questions about the City's ordinances on rent control and tenant protections, think your landlord has violated the City's ordinances, or want to file an appeal with the Rent Board, please contact the Housing Safety Office at housingsafety@portlandmaine.gov or 207-756-8131

Revised March 2021

Required Forms & Informational Material

Landlords must provide the following informational material and forms to tenants:

- The City of Portland Rental Housing Rights Document (above)
- Energy Efficiency Disclosure
<https://www.maine.gov/mpuc/online/forms/EnergyEfficiencyDisclosure.html>
- Lead Paint Pamphlet - “Protect Your Family From Lead in Your Home”
<https://www.epa.gov/lead/protect-your-family-lead-your-home>
- Lead Based Paint Disclosure Form
[Lead Based Paint Disclosure Form](#)
- Smoking Policy Disclosure (To be drafted by the landlord)
- Radon in Rental Housing Pamphlet
<https://www.maine.gov/dhhs/mecdc/environmental-health/rad/radon/documents/2019tipsheet11.pdf>
- Radon Disclosure
<https://www1.maine.gov/dhhs/mecdc/environmental-health/rad/radon/documents/Maine%20radon%20gas%20disclosure-final.pdf>

By signing below, landlords and tenants acknowledge that they have read and understand the information contained within this document and landlords have provided tenants with copies of the informational material and forms noted above.

Landlord	Date
Tenant	Date
Tenant	Date
Tenant	Date