

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1039

Introduced by Linehan, 39.

Read first time January 17, 2018

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant
- 2 Act; to amend section 76-1416, Reissue Revised Statutes of Nebraska;
- 3 to increase the amount allowed to be required for a pet deposit; and
- 4 to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 76-1416, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 76-1416 (1) A landlord may not demand or receive security, however
4 denominated, in an amount or value in excess of one month's periodic
5 rent, except that a pet deposit not in excess of ~~one-fourth~~ of one
6 month's periodic rent may be demanded or received when appropriate, but
7 this subsection shall not be applicable to housing agencies organized or
8 existing under the Nebraska Housing Agency Act.

9 (2) Upon termination of the tenancy, property or money held by the
10 landlord as prepaid rent and security may be applied to the payment of
11 rent and the amount of damages which the landlord has suffered by reason
12 of the tenant's noncompliance with the rental agreement or section
13 76-1421. The balance, if any, and a written itemization shall be
14 delivered or mailed to the tenant within fourteen days after demand and
15 designation of the location where payment may be made or mailed.

16 (3) If the landlord fails to comply with subsection (2) of this
17 section, the tenant may recover the property and money due him or her and
18 reasonable attorney's fees.

19 (4) This section does not preclude the landlord or tenant from
20 recovering other damages to which he or she may be entitled under the
21 Uniform Residential Landlord and Tenant Act.

22 (5) The holder of the landlord's interest in the premises at the
23 time of the termination of the tenancy is bound by this section.

24 Sec. 2. Original section 76-1416, Reissue Revised Statutes of
25 Nebraska, is repealed.