

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO.

Introduced by

Representative Kasper

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.

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

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

- 6 1. A contract for the provision of a service which requires the installation of a fixture,
7 including an antenna, a satellite dish, or other receiver, on the property of the
8 customer must include directly below the signature line for the customer's
9 acceptance of the contract a statement in at least ten point bold-faced type "The
10 signature of the landlord, not the tenant, is required below for installation. Failure
11 to receive the landlord's signature may subject the tenant and installer to criminal
12 and civil liability." Directly below that statement must be a signature line for the
13 owner or landlord to approve of the installation. Directly below that signature line
14 for the owner or landlord must be a statement in at least ten point bold-faced type
15 "Signature of landlord. Improper signature subjects signer and installer to criminal
16 and civil penalties."
- 17 2. In an installer makes an installation without the consent of the landlord when
18 required, the installer is guilty of a class B misdemeanor. In addition, the installer
19 is subject to treble damages for any damaged caused by the installation and treble
20 damages are deemed at least \$200.
- 21 3. If a tenant signs the landlord's authorization of installation without the consent of
22 the landlord, the tenant is guilty of a class B misdemeanor. In addition, the tenant
23 is subject to treble damages for any damaged caused by the installation and treble
24 damages are deemed at least \$200 which may be immediately removed from any

- 1 damage deposit, which the landlord may require replaced as a condition of
2 continuing the lease.
- 3 4. A service provider that requires the installation must comply with subsection 1 or
4 the service provider is subject to a civil penalty of one thousand dollars per
5 violation. This subsection may be enforced by the landlord of property on which an
6 installation occurred without the proper language or the Attorney General. If
7 enforced by the landlord, the landlord retains the civil penalty.