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Sixty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2331

Introduced by

Senator Paulson

Representatives Bellew, Hoverson

A BILL for an Act to create and enact a new section to chapter 47-16 of the North Dakota Century Code, relating to move-in and post move-out inspections of leased property.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 47-16 of the North Dakota Century Code is created and enacted as follows:

Mandatory inspections.

1. Before, at the time of, or shortly after a tenant accepts possession of leased premises, the landlord and the tenant shall inspect the premises and note on a written statement all damages to the premises and a remediation plan to repair any damages, with normal wear and tear excepted. At the conclusion of the inspection, the landlord and tenant shall sign and date the statement acknowledging the inspection under this section has occurred. A copy of the statement must be provided to the tenant within a reasonable time following the inspection.
2. The landlord and tenant shall conduct a move-out inspection after the expiration date or earlier termination of the lease. ~~Notwithstanding any other provision of law~~Except as provided in section 47-16-07.3, the landlord may not re-enter the premises until an inspection is conducted. The landlord and tenant shall schedule the inspection at a mutually agreeable time. If the tenant fails to appear at the scheduled inspection, without communicating to the landlord a reason for the absence, the landlord shall conduct the inspection, note any damages to the premises on a written statement, and mail the statement to the tenant. The tenant's absence is deemed acceptance of the statement created by the landlord. The tenant may designate an agent to act on behalf of the tenant for the inspections under this section.