

By: Representative Nelson

To: Judiciary A

HOUSE BILL NO. 840

1 AN ACT TO AMEND SECTION 89-8-15, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE ELEMENTS NECESSARY FOR A TENANT TO BE REIMBURSED FOR
3 REPAIRS TO DEFECTS; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 89-8-15, Mississippi Code of 1972, is
6 amended as follows:

7 89-8-15. (1) If, within thirty (30) days after written
8 notice to the landlord of a specific and material defect which
9 constitutes a breach of the terms of the rental agreement or of
10 the obligation of the landlord under Section 89-8-23, the landlord
11 fails to repair such defect, the tenant:

12 (a) May repair the defect; and

13 (b) Except as otherwise provided in subsection (2) of
14 this section, shall be entitled to reimbursement of the expenses
15 of such repairs within forty-five (45) days after submission to
16 the landlord of receipted bills for such work, provided that:

17 (i) The tenant has fulfilled the obligations
18 required under Section 89-8-25; and



19 * * *

20 (* * *ii) The tenant is current in rental
21 payments.

22 (2) A tenant shall not be entitled to be reimbursed for
23 repairs made pursuant to this section in an amount greater than
24 the usual and customary charge for such repairs.

25 (3) Before correcting a condition affecting facilities
26 shared by more than one (1) dwelling unit, the tenant shall notify
27 all other tenants sharing such facilities of the plans for the
28 repairs and shall so arrange the work as to create the least
29 practicable inconvenience to the other tenants.

30 (4) The cost of repairs made by a tenant pursuant to this
31 section may be offset against future rent.

32 (5) No provision of this section shall be construed to grant
33 a lien against the real property.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2025.

