

I MINA' TRENTAI DOS NA LIHESLATURAN GUÁHAN  
2014 (SECOND) Regular Session

Bill No. 379-92 (COR)

Introduced by:

V. Anthony Ada



**AN ACT TO ADD A NEW §§89.16 & 89.17 TO CHAPTER  
89 OF 9GCA RELATIVE TO DUTY OF LANDLORDS OF  
MULTIFAMILY RENTAL UNITS TO INFORM  
TENANTS OF THE OCCUPANCY OF A UNIT BY A  
REGISTERED SEX OFFENDER.**

2014 JUN 10 AM 11:30  
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1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1.** Sections 89.16 and 89.17 are *added* to Chapter 89 of 9GCA to read as  
3 follows:

4  
5 **§89.16. Residential Leases: Notice to Lessee.** All residential leases shall include the  
6 following clause:

7 *“Notice: Pursuant to Chapter 89 of Title 9 of the Guam Code Annotated, information*  
8 *about specified registered sex offenders is made available to the public via an Internet*  
9 *Web site maintained by the Unified Judiciary at [www.guamcourts.org/sor/index.asp](http://www.guamcourts.org/sor/index.asp).*  
10 *Depending on an offender’s criminal history, this information will include either the*  
11 *address at which the offender resides or the community of residence and zip code in*  
12 *which he or she resides.”*

13 This section is effective upon enactment.

14  
15 **§89.17. Duty of Landlords to Inform Tenants.** (a) Within twenty four (24) hours of  
16 having knowledge that a registered sex offender is taking up or has taken up residence

1 in a multifamily dwelling the landlord of such multifamily dwelling shall notify all  
2 tenants, in writing, that a registered sex offender is residing in a unit of the multifamily  
3 dwelling. The notice shall include the full name and unit number of the registered sex  
4 offender and web address of the Guam Sex Offender Registry. Landlords are required  
5 to notify prospective tenants prior to leasing or renting a unit to said tenants if a  
6 registered sex offender resides in the multifamily dwelling. It is the obligation of the  
7 lessor of units in a multifamily dwelling to obtain the names of persons residing in said  
8 units and determine if any occupant is a registered sex offender.

9 (b) In the event that a registered sex offender is residing in a multifamily dwelling on  
10 the effective date of this section, the landlord shall notify all tenants of the multi-  
11 family dwelling within twenty four (24) hours of time of discovery of the inhabitation  
12 of a registered sex offender in a unit of the multifamily dwelling.

13 (c) For purposes of this Chapter a multifamily dwelling is a classification of housing  
14 where multiple separate housing units for residential inhabitants are contained within  
15 one building such as an apartment complex.

16 (d) It is the obligation for a lessor of a multifamily dwelling to periodically peruse the  
17 Guam Sex Offender Registry and the National Sex Offender Registry to obtain  
18 background information on existing and prospective tenants for compliance with the  
19 provisions of this Section. For purposes of this section, any information regarding a  
20 registered sex offender who is an existing or prospective resident of a multifamily  
21 dwelling that is communicated to or obtained by an employee or agent of the lessor is  
22 considered to be communicated to or obtained by the lessor.

23 (e) Failure to provide notice as required herein is a violation and subject to a fine of  
24 One Hundred Dollars (\$100.00) for each unit, in the building for which the registered  
25 sex offender resides, that was not provided notice. This section is effective upon  
26 enactment.