



**151st GENERAL ASSEMBLY  
FISCAL NOTE**

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**BILL:** HOUSE BILL NO. 477  
**SPONSOR:** Representative Dorsey Walker  
**DESCRIPTION:** AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LANDLORD OBLIGATIONS AND TENANT REMEDIES.

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**Assumptions:**

1. This Act becomes effective upon signature by the Governor.
2. This Act allows a tenant to bring an action to the Justice of the Peace Court (JP Court) for sanctions to be imposed upon those who allow dangerous conditions and defects to exist in leased premises and that effective mechanisms be established for repairing these conditions and halting their creation. Further, this Act requires the JP Court to make appropriate findings of fact and to make any order that the justice of the case may require.
3. The JP Court anticipates that it will experience an additional volume of hearings and transactions resulting from this Act. The JP Court believes it will need an additional Magistrate and Judicial Case Processor in each county. The Fiscal Year 2023 costs are estimated at \$269,573, and one-time costs are estimated at \$17,220 and are as follows:
  - a. Addition of 6.0 FTE positions to the JP Court.
    - i. Recurring Costs – \$269,573
      1. \$268,573 in the Fiscal Year 2023 Personnel Costs (6 months of funding), including OECs, for 3.0 FTE, JP Court Magistrate; and 3.0 FTE, Judicial Case Processor II.
      2. \$1,000 for office and other related supplies and materials needs.
      3. Indeterminable amount for the services related to the appointment of a special administrator.
    - ii. One-Time Costs – \$17,220
      1. \$17,220 estimated for computer and technology equipment, office furniture, and other startup costs for the new positions.
      2. Indeterminable amount for programming costs for updates and implementation to the JP Courts civil case processing system.
4. Lastly, all Fiscal Year 2023 personnel costs have been estimated for six months of funding, with the annualization of the remaining six months incorporated into subsequent year estimates since it's assumed the earliest the Delaware State Senate may confirm a Magistrate would be in January 2023. Additionally, a 2% inflation cost has been included for projected increases in salary, health insurance, and OECs.

**Cost:**

	<b><u>One-Time</u></b>	<b><u>Recurring/Operating</u></b>
<b>Fiscal Year 2023:</b>	\$17,220	\$269,573
<b>Fiscal Year 2024:</b>		\$548,889
<b>Fiscal Year 2025:</b>		\$559,847