
By: Delegate Krysiak

Introduced and read first time: February 7, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Residential Leases - Tenant Liability**

3 FOR the purpose of altering the maximum number of months of rent for which a tenant
4 may be liable to a landlord under certain circumstances; and generally relating to
5 tenant liability under residential leases.

6 BY repealing and reenacting, with amendments,
7 Article - Real Property
8 Section 8-212
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 1996 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Real Property**

14 8-212.

15 (a) In Baltimore City, a liquidated damages clause or penalty clause in a
16 residential lease is not enforceable. If a tenant fails or refuses to take possession of or
17 vacates the dwelling unit before the end of his term, the tenant is liable to the landlord
18 for loss of rent caused by the termination or [two] 6 months' rent, whichever is less, in
19 addition to the cost of repairing damage to the premises which may have been caused by
20 an act or omission of the tenant.

21 (b) A residential lease of property in Baltimore City entered into after July 1,
22 1975, may not contain a liquidated damages clause or a penalty clause.

23 (c) In Baltimore City, in determining the existence of a liquidated damages clause
24 or a penalty clause, all provisions shall be strictly construed to be a liquidated damages
25 clause or a penalty clause.

26 (d) The provisions in this section may not be waived in any residential lease of
27 property or space in Baltimore City.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1997.