

SENATE BILL 487

N1, L2

(7lr2662)

ENROLLED BILL

— Judicial Proceedings/Environment and Transportation —

Introduced by **Senator McFadden (By Request – Baltimore City Administration)**
and Senators Conway, Ferguson, Nathan–Pulliam, and Robinson

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Residential Ground Leases – Abandoned Property**

3 FOR the purpose of prohibiting a ground lease holder from taking certain actions *against*
4 *the current leasehold tenant of certain abandoned property in Baltimore City* to
5 recover ground rent due and owing *from a former leasehold tenant on certain*
6 ~~abandoned property in Baltimore City~~ before *the date that the current leasehold*
7 *tenant acquired* title ~~was acquired by~~ *to the property Baltimore City the owner of the*
8 ~~leasehold interest~~ under certain circumstances; making conforming changes; and
9 generally relating to residential ground leases in Baltimore City.

10 BY repealing and reenacting, with amendments,

11 Article – Real Property

12 Section ~~8–806(e)(1)~~ 8–806(c)

13 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



(2015 Replacement Volume and 2016 Supplement)

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

Article – Real Property

8–806.

(c) (1) Notwithstanding any other provision of law, ~~in any suit, action, or proceeding to recover past due ground rent,~~ a ground lease holder may ~~only recover not more than 3 years' past due ground rent, calculated from the date notice was sent under § 8–807(c)(1) of this subtitle,~~ ~~NOT BRING ANY SUIT, ACTION, PROCEEDING, OR OTHER EFFORT TO RECOVER GROUND RENT THAT WAS DUE AND OWING BEFORE THE DATE THAT THE MAYOR AND CITY COUNCIL OF BALTIMORE ACQUIRED TITLE~~, if the property is:

(i) Owned or acquired by any means by the Mayor and City Council of Baltimore; and

(ii) ~~Abandoned property, as defined in § 21–17(a)(2) of the Public Local Laws of Baltimore City,~~ or distressed **DISTRESSED** property, as defined in § 21–17(a)(3) of the Public Local Laws of Baltimore City.

(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A GROUND LEASE HOLDER MAY NOT BRING ANY SUIT, ACTION, PROCEEDING, OR OTHER EFFORT OR PROCEEDING AGAINST THE CURRENT LEASEHOLD TENANT TO RECOVER THE GROUND RENT THAT WAS DUE AND OWING FROM A FORMER LEASEHOLD TENANT BEFORE THE DATE THAT THE OWNER OF THE LEASEHOLD INTEREST CURRENT LEASEHOLD TENANT ACQUIRED TITLE, IF THE PROPERTY IS:

(I) OWNED OR ACQUIRED BY ANY MEANS BY THE OWNER OF THE LEASEHOLD INTEREST CURRENT LEASEHOLD TENANT; AND

(II) ABANDONED PROPERTY, AS DEFINED IN § 21–17(A)(2) OF THE PUBLIC LOCAL LAWS OF BALTIMORE CITY.

(3) With regard to property described under [paragraph] PARAGRAPHS (1) AND (2) of this subsection, a ground lease holder may request in writing that the [Mayor and City Council of Baltimore] OWNER OF THE LEASEHOLD INTEREST CURRENT LEASEHOLD TENANT acquire the reversionary interest under the ground lease for the market value established at the time of the acquisition by the [Mayor and City Council] OWNER of the leasehold interest CURRENT LEASEHOLD TENANT under the ground lease.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.