

# HOUSE BILL 1553

L2, N1

(8lr1757)

## ENROLLED BILL

— *Environment and Transportation/Judicial Proceedings* —

Introduced by **Delegate Anderson (By Request – Baltimore City Administration)**

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.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore City – Landlord and Tenant – False Representations and Unlawful**  
3 **Evictions**

4 FOR the purpose of prohibiting certain individuals from making certain false  
5 representations or statements to tenants in violation of certain laws in Baltimore  
6 City; prohibiting certain individuals from making certain false statements to tenants  
7 in connection with certain proceedings in Baltimore City; prohibiting certain  
8 individuals from attempting to circumvent certain rights afforded to tenants in  
9 connection with the denial of ingress to and egress from a dwelling, intentionally  
10 diminishing certain services to tenants, or penalizing certain tenants in a certain  
11 manner in Baltimore City; providing for certain penalties for a violation of this Act;  
12 defining certain terms; making a technical correction; making conforming changes;  
13 and generally relating to landlords and tenants in Baltimore City.

14 BY repealing and reenacting, with amendments,

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#### 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.*



1 The Public Local Laws of Baltimore City  
2 Section 9–15  
3 Article 4 – Public Local Laws of Maryland  
4 (1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

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

7 **Article 4 – Baltimore City**

8 9–15.

9 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
10 INDICATED.

11 (2) “AGENT” MEANS ANY AUTHORIZED INDIVIDUAL OR BUSINESS  
12 ACTING ON BEHALF OF AN OWNER.

13 (3) “LANDLORD” MEANS AN OWNER OF REAL PROPERTY LOCATED  
14 WITHIN BALTIMORE CITY, AN AGENT OF THE OWNER, OR AN OPERATOR WHO  
15 PROMISES TO LEASE ALL OR ANY PORTION OF A PROPERTY TO ANOTHER PERSON  
16 FOR THE PERSON’S USE, IN EXCHANGE FOR AN AGREED UPON AMOUNT OF MONEY  
17 OR SERVICES.

18 (4) “LEASE” MEANS ANY ORAL OR WRITTEN AGREEMENT, EXPRESS  
19 OR IMPLIED, CREATING A LANDLORD AND TENANT RELATIONSHIP, INCLUDING ANY  
20 SUBLEASE, THAT GRANTS THE TENANT THE USE OF THE LANDLORD’S PROPERTY  
21 FOR A GIVEN PERIOD OF TIME IN EXCHANGE FOR RENT IN THE FORM OF MONEY OR  
22 SERVICES.

23 (5) “OPERATOR” MEANS ANY PERSON WHO HAS CHARGE, CARE, OR  
24 CONTROL OF ALL OR ANY PORTION OF A STRUCTURE OR PREMISES ON BEHALF OF  
25 THE OWNER.

26 (6) “TENANT” MEANS ANY PERSON WHO HAS BEEN GIVEN THE RIGHT  
27 TO USE OR OCCUPY RENTAL PROPERTY THROUGH A LEASE AGREEMENT.

28 (B) [Any person, whether as an individual, member or firm or officer of a  
29 corporation, who shall] **AN AGENT, A LANDLORD, OR AN OPERATOR MAY NOT:**

30 (1) falsely make any representation or statement required by Sections  
31 **9–2, 9–3, 9–12, 9–13, 9–14, 9–15, and 9–19 AND ARTICLE 13, § 8A–2 OF THE**  
32 **BALTIMORE CITY CODE** to be [made, or who shall] **GIVEN;**

1           **(2)** falsely make any representation or statement in connection with the  
2 giving of the notice **OR COMPLAINT** required by Sections **9-2, 9-3, 9-12, 9-13, 9-14,**  
3 **9-15, and 9-19 AND ARTICLE 13, § 8A-2 OF THE BALTIMORE CITY CODE** to be given[,  
4 or who shall];

5           **(3)** falsely make any representation or statement at, during or in  
6 connection with any proceeding for the enforcement of any rights for the speedy recovery of  
7 lands or tenements held over by tenants[, or who shall];

8           **(4)** in an attempt to circumvent the protection accorded tenants by Sections  
9 **9-2, 9-3, 9-12, 9-13, 9-14, 9-15, and 9-19 AND ARTICLE 13, § 8A-2 OF THE**  
10 **BALTIMORE CITY CODE**, willfully deprive a tenant of ingress to or egress from his  
11 dwelling[.]; or [who shall]

12           **(5)** without the consent of the tenant, INTENTIONALLY [diminish  
13 essential services to the tenant, such as the providing of gas, electricity, water, heat, light,  
14 furniture, furnishings, or similar services, to which under the expressed or implied terms  
15 of the tenancy the tenant may be entitled, shall be]:

16           **(I) INTERRUPT, TERMINATE, OR ~~FAIL TO MAINTAIN IN~~**  
17 **~~OPERABLE CONDITION~~ DIMINISH, ANY UTILITY SERVICE FURNISHED TO THE**  
18 **TENANT, INCLUDING, BUT NOT LIMITED TO, WATER, HEAT, LIGHT, ELECTRICITY,**  
19 **GAS, ELEVATOR, OR SIMILAR SERVICES TO WHICH UNDER THE EXPRESSED OR**  
20 **IMPLIED TERMS OF THE TENANCY THE TENANT MAY BE ENTITLED;**

21           **(II) REMOVE FURNISHINGS, COOKING FACILITIES, APPLIANCES,**  
22 **OR SIMILAR ITEMS TO WHICH UNDER THE EXPRESS OR IMPLIED TERMS OF THE**  
23 **TENANCY THE TENANT MAY BE ENTITLED;**

24           **(III) PREVENT THE TENANT FROM GAINING REASONABLE**  
25 **ACCESS TO THE PROPERTY BY CHANGING THE LOCKS AND FAILING TO PROVIDE THE**  
26 **TENANT WITH NEW KEYS;**

27           **(IV) REMOVE OUTSIDE DOORS OR WINDOWS; OR**

28           **(V) REMOVE FROM THE PREMISES THE TENANT'S PERSONAL**  
29 **PROPERTY, FURNISHINGS, OR ANY OTHER ITEMS.**

30           **(C) AN AGENT, A LANDLORD, OR AN OPERATOR WHO VIOLATES THIS**  
31 **SECTION IS** guilty of a misdemeanor and, upon conviction thereof, [shall be] **IS** subject to  
32 a fine not exceeding \$500 and imprisonment of not more than ten (10) days, or both, in the  
33 discretion of the court, for each and every offense.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.