

# HOUSE BILL 960

N1

1lr2555

---

By: **Delegate Conaway**

Introduced and read first time: February 2, 2021

Assigned to: Environment and Transportation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Lease Agreements – Estoppel Certificates and**  
3 **Subordination, Non-Disturbance, and Attornment Agreements**

4 FOR the purpose of prohibiting a landlord from using a lease or form of lease containing an  
5 estoppel certificate or a subordination, non-disturbance, and attornment agreement  
6 or requiring a tenant to agree to sign an estoppel certificate or a subordination,  
7 non-disturbance, and attornment agreement as a provision of a lease; providing for  
8 the construction of this Act; providing that existing obligations or contract rights  
9 may not be impaired by this Act; and generally relating to lease agreements.

10 BY adding to

11 Article – Real Property

12 Section 8–119

13 Annotated Code of Maryland

14 (2015 Replacement Volume and 2020 Supplement)

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

17 **Article – Real Property**

18 **8–119.**

19 **(A) A LANDLORD MAY NOT USE A LEASE OR FORM OF LEASE CONTAINING,**  
20 **OR REQUIRE AS A PROVISION OF A LEASE THAT A TENANT AGREE TO SIGN:**

21 **(1) AN ESTOPPEL CERTIFICATE; OR**

22 **(2) A SUBORDINATION, NON-DISTURBANCE, AND ATTORNMENT**  
23 **AGREEMENT.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) NOTHING IN THIS SECTION MAY BE CONSTRUED AS PROHIBITING A**  
2 **LANDLORD FROM REQUESTING THAT A TENANT AGREE TO SIGN AN ESTOPPEL**  
3 **CERTIFICATE OR A SUBORDINATION, NON-DISTURBANCE, AND ATTORNMENT**  
4 **AGREEMENT SEPARATELY FROM A LEASE AGREEMENT.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing obligation  
6 or contract right may not be impaired in any way by this Act.

7           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2021.