

**HB1117/843423/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1117  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Stewart**” and substitute “**Delegates Stewart, Addison, Allen, Boyce, Foley, Healey, Lehman, J. Long, Love, Ruth, and Terrasa**”; strike beginning with “clarifying” in line 6 down through “relief;” in line 7; and in line 9, after “landlord” insert “and authorizing a court to issue an order for separate trials or any other orders necessary to prevent delay or avoid prejudice”.

AMENDMENT NO. 2

On page 3, in line 1, strike the third bracket; in the same line, strike “upon” and substitute “ON”; strike beginning with the bracket in line 2 down through “**OBLIGATED**” in line 5; in line 14, strike the brackets; and strike beginning with the semicolon in line 16 down through “**OCCUPANTS**” in line 18.

On page 4, in line 26, after “**(2)**” insert “**(I)**”; after line 27, insert:

**“(II) THE COURT MAY ORDER SEPARATE TRIALS OR ISSUE ANY OTHER ORDER NECESSARY TO PREVENT DELAY OR AVOID PREJUDICE.”;**

in line 28, after “**(I)**” insert “**(1)**”; strike beginning with the colon in line 28 down through “**A**” in line 29 and substitute “A”; and in line 30, strike the semicolon and substitute a period.

On page 5, after line 15, insert:

**“(5) IF A TENANT ALLEGES THAT A DEFECT OR CONDITION EXISTS AT THE LEASED PREMISES AT A TRIAL FOR FAILURE TO PAY RENT, THE COURT**

MAY GRANT A POSTPONEMENT ON REQUEST OF EITHER PARTY IN ORDER FOR THE PARTIES TO PROVIDE EVIDENCE AND ADDITIONAL INFORMATION REGARDING THE ALLEGED DEFECT OR CONDITION.”.

On page 7, strike beginning with the comma in line 21 down through “TENANT” in line 22; and strike in their entirety lines 32 and 33 and substitute:

“(A) IN THIS SECTION, “FIT FOR HUMAN HABITATION” MEANS THAT A DWELLING UNIT AND PROPERTY OF WHICH THE DWELLING UNIT IS A PART ARE FREE FROM SERIOUS DEFECTS OR CONDITIONS THAT CONSTITUTE, OR WILL CONSTITUTE IF NOT PROMPTLY CORRECTED, A FIRE HAZARD OR OTHER SERIOUS AND SUBSTANTIAL THREAT TO THE LIFE, HEALTH, OR SAFETY OF OCCUPANTS OF THE DWELLING UNIT.”.

On page 8, in line 3, after “(C)” insert “A LANDLORD THAT OFFERS A RESIDENTIAL DWELLING UNIT FOR RENT, WHETHER BY WRITTEN OR ORAL LEASE AGREEMENT, SHALL BE DEEMED TO WARRANT THAT THE DWELLING UNIT IS FIT FOR HUMAN HABITATION.

(D) THE WARRANTY OF HABITABILITY UNDER THIS SECTION EXISTS AT THE BEGINNING OF THE TENANCY AND CONTINUES THROUGHOUT THE TERM OF THE TENANCY.

(E)”;

strike in their entirety lines 6 through 8, inclusive, and substitute:

“(F) (1) (I) IN ORDER TO EMPLOY THE REMEDIES PROVIDED BY THIS SECTION, THE TENANT SHALL NOTIFY THE LANDLORD OF THE EXISTENCE OF DEFECTS OR CONDITIONS.

**(II) NOTICE SHALL BE GIVEN BY:**

**1. A WRITTEN COMMUNICATION SENT BY CERTIFIED MAIL LISTING THE ASSERTED DEFECTS OR CONDITIONS;**

**2. ACTUAL NOTICE OF THE DEFECTS OR CONDITIONS;**  
**OR**

**3. A WRITTEN VIOLATION, CONDEMNATION, OR OTHER NOTICE FROM AN APPROPRIATE STATE, COUNTY, MUNICIPAL, OR LOCAL GOVERNMENT AGENCY STATING THE ASSERTED DEFECTS OR CONDITIONS.”;**

in lines 13 and 28, strike “(E)” and “(F)”, respectively, and substitute “(G)” and “(H)”, respectively; and in line 14, strike “§ 8-211 OF THIS SUBTITLE” and substitute “THIS SECTION”.

On page 9, in lines 4 and 12, strike “(G)” and “(H)”, respectively, and substitute “(I)” and “(J)”, respectively; and strike beginning with the comma in line 15 down through “TENANT” in line 16.