
By: Delegate W. Baker

Introduced and read first time: February 20, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant - Security Deposits**

3 FOR the purpose of altering the method of determining the amount of simple interest to
4 be returned, together with the security deposit, to certain tenants who have been
5 evicted or ejected or have abandoned the premises; and generally relating to
6 security deposits.

7 BY repealing and reenacting, with amendments,
8 Article - Real Property
9 Section 8-203(i)
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1996 Supplement)

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

14 **Article - Real Property**

15 8-203.

16 (i) (1) The provisions of subsections (f)(1), (f)(4), (h)(1), and (h)(2) are
17 inapplicable to a tenant who has been evicted or ejected for breach of a condition or
18 covenant of a lease prior to the termination of the tenancy or who has abandoned the
19 premises prior to the termination of the tenancy.

20 (2) A tenant specified in paragraph (1) may demand return of the security
21 deposit by giving written notice by first-class mail to the landlord within 45 days of being
22 evicted or ejected or of abandoning the premises. The notice shall specify the tenant's
23 new address. The landlord, within 30 days of receipt of such notice, shall present, by
24 first-class mail to the tenant, a written list of the damages claimed under subsection
25 (g)(1) together with a statement of the costs actually incurred. Within 45 days of receipt
26 of the notice, the landlord shall return to the tenant the security deposit together with
27 simple interest which has accrued [in the amount of 4 percent per annum] AT THE
28 CURRENT SAVINGS RATE, LESS ONE-HALF PERCENT SERVICING CHARGES, less any
29 damages rightfully withheld.

30 (3) If a landlord fails to send the list of damages required by paragraph (2),
31 the right to withhold any part of the security deposit for damages is forfeited. If a

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1 landlord fails to return the security deposit as required by paragraph (2), the tenant has
2 an action of up to threefold of the withheld amount, plus reasonable attorney's fees.

3 (4) Except to the extent specified, this subsection may not be interpreted to
4 alter the landlord's duties under subsections (f) and (h).

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