

HOUSE BILL 613

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1998 Regular Session
8r1264

By: **Delegate DeCarlo**

Introduced and read first time: February 9, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant - Lease Applications and Fees**

3 FOR the purpose of increasing the amount of certain nonrefundable fees that a
4 landlord may require from a prospective tenant; and generally relating to lease
5 applications and certain nonrefundable fees.

6 BY repealing and reenacting, with amendments,
7 Article - Real Property
8 Section 8-213(b)
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 1997 Supplement)

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

13 **Article - Real Property**

14 8-213.

15 (b) (1) If a landlord requires from a prospective tenant any fees other than a
16 security deposit as defined by § 8-203(a) of this subtitle, and these fees exceed [\$25]
17 \$50, then the landlord shall return the fees, subject to the exceptions below, or be
18 liable for twice the amount of the fees in damages. The return shall be made not later
19 than 15 days following the date of occupancy or the written communication, by either
20 party to the other, of a decision that no tenancy shall occur.

21 (2) The landlord may retain only that portion of the fees actually
22 expended for a credit check or other expenses arising out of the application, and shall
23 return that portion of the fees not actually expended on behalf of the tenant making
24 application.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 1998.