

HOUSE BILL 971

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1999 Regular Session
9lr2135

By: **Delegate Kach**

Introduced and read first time: February 12, 1999

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Landlord and Tenant - Back Rent**

3 FOR the purpose of limiting the amount of back rent a certain person may recover in
4 a suit, action, or proceeding for back rent of leased property; prohibiting the
5 recovery of attorney's fees in a certain claim for back rent unless expressly
6 provided in a lease or by a court order; providing for the application of this Act;
7 and generally relating to a suit, action, or proceeding for back rent.

8 BY adding to

9 Article - Real Property

10 Section 8-111.1

11 Annotated Code of Maryland

12 (1996 Replacement Volume and 1998 Supplement)

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

15 **Article - Real Property**

16 8-111.1.

17 IN ANY SUIT, ACTION, OR PROCEEDING BY A LANDLORD, OR THE TRANSFEREE
18 OF THE REVERSION IN LEASED PROPERTY, TO RECOVER BACK RENT, THE LANDLORD,
19 OR THE TRANSFEREE OF THE REVERSION IN LEASED PROPERTY:

20 (1) IS ENTITLED TO DEMAND OR RECOVER NOT MORE THAN 3 YEARS
21 BACK RENT; AND

22 (2) UNLESS EXPRESSLY PROVIDED IN THE LEASE OR ORDERED BY A
23 COURT, IS NOT ENTITLED TO RECOVER ATTORNEY'S FEES FROM THE TENANT OR
24 ASSIGNEE OF A LEASE.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
26 construed only prospectively and may not be applied or interpreted to have any effect
27 on or application to any suit, action, or proceeding for back rent before the effective
28 date of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1999.