Unofficial Copy N1 2000 Regular Session 0lr1506

By: **Delegate Krysiak**Introduced and read first time: February 10, 2000
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 Landlord and Tenant - Expedited Eviction Authority - Dangerous Acts

- 3 FOR the purpose of reducing the amount of time that a landlord must give to evict a
- 4 tenant if the tenant or another person on the premises with the tenant's
- 5 permission breaches the lease by committing a violent act or behaving in a
- 6 manner that constitutes a danger to certain other people or property; making a
- stylistic change; and generally relating to the expedited eviction authority of a
- 8 landlord for a breach of lease.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Real Property
- 11 Section 8-402.1(a)(1)
- 12 Annotated Code of Maryland
- 13 (1996 Replacement Volume and 1999 Supplement)
- 14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 15 MARYLAND, That the Laws of Maryland read as follows:

16 Article - Real Property

17 8-402.1.

- 18 (a) (1) (i) [When] WHERE a lease provides that the landlord may
- 19 repossess the premises if the tenant breaches the lease, [and the landlord has given
- 20 the tenant 1 month's written notice that the tenant is in violation of the lease and the
- 21 landlord desires to repossess the premises, and if the tenant or person in actual
- 22 possession refuses to comply, the landlord may make complaint in writing to the
- 23 District Court of the county where the premises is located] THE LANDLORD MAY
- 24 MAKE COMPLAINT IN WRITING TO THE DISTRICT COURT OF THE COUNTY WHERE
- 25 THE PREMISES IS LOCATED IF:
- 26 1. THE TENANT BREACHES THE LEASE;

HOUSE BILL 788

- 1 2. A. THE LANDLORD HAS GIVEN THE TENANT 1 MONTH'S
- 2 WRITTEN NOTICE THAT THE TENANT IS IN VIOLATION OF THE LEASE AND THE
- 3 LANDLORD DESIRES TO REPOSSESS THE PREMISES; OR
- 4 B. IF THE BREACH OF THE LEASE INVOLVES THE TENANT OR
- 5 ANOTHER PERSON WHO IS ON THE PREMISES WITH THE TENANT'S CONSENT
- 6 WILLFULLY OR INTENTIONALLY COMMITTING A VIOLENT ACT OR BEHAVING IN A
- 7 MANNER THAT CONSTITUTES A REAL AND PRESENT DANGER TO THE HEALTH,
- 8 SAFETY, OR WELFARE TO OTHER TENANTS, THE PROPERTY OF OTHER TENANTS, THE
- 9 LANDLORD OR THE LANDLORD'S REPRESENTATIVES, OR ANY OTHER PERSONS ON
- 10 THE PREMISES, THE LANDLORD HAS GIVEN THE TENANT 5 BUSINESS DAYS' WRITTEN
- 11 NOTICE THAT THE TENANT IS IN VIOLATION OF THE LEASE AND THE LANDLORD
- 12 DESIRES TO REPOSSESS THE PREMISES; AND
- 13 3. THE TENANT OR PERSON IN ACTUAL POSSESSION
- 14 REFUSES TO COMPLY.
- 15 (ii) The court shall summons immediately the tenant or person in
- 16 possession to appear before the court on a day stated in the summons to show cause,
- 17 if any, why restitution of the possession of the leased premises should not be made to
- 18 the landlord.
- 19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 20 October 1, 2000.