

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 953 (Delegate Krvsiak)

Economic Matters

Real Property - Abatement of Nuisances - Parties to Bring Nuisance Action

This bill adds a landlord, property owner, or property manager of a property in which a nuisance is located to the parties authorized to bring an action for abatement of a nuisance caused by a controlled substance, a controlled dangerous substance, or controlled paraphernalia.

Fiscal Summary

State Effect: Assuming the number of cases brought is minimal, any increase in workload could be handled with the existing budgeted resources of the Judiciary.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: A community association, a local State's Attorney, or a local county attorney or solicitor may bring an action in District Court for abatement of a nuisance caused by a controlled substance, a controlled dangerous substance, or controlled paraphernalia. In a drug nuisance abatement case, a court may issue an injunction or order other equitable relief whether or not there is an adequate remedy at law. A court may order a tenant who knew of the nuisance to vacate the property within 72 hours and may order return of the premises to the landlord. A court may order an owner to submit a plan for court approval to ensure that the property will not again be used for a nuisance.

A court may award costs and reasonable attorney's fees to a prevailing plaintiff that is a community association.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (District Court), Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2000
drg/jr

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