

HOUSE BILL 864

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HB 788/00 - JUD

2001 Regular Session
11r2426

By: **Delegate Minnick**
Introduced and read first time: February 9, 2001
Assigned to: Economic Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 22, 2001

CHAPTER _____

1 AN ACT concerning

2 **Landlord and Tenant - Expedited Eviction Authority - Dangerous Acts**

3 FOR the purpose of reducing the amount of notice that a landlord must give to evict
4 a tenant if the tenant or another person breaches the lease by behaving in a
5 certain manner that constitutes a danger to other people or property; making a
6 stylistic change; requiring the landlord to give certain written notice to the
7 tenant if the tenant is in violation of the lease; making a technical change; and
8 generally relating to authorizing certain circumstances when a landlord may
9 make complaint to the District Court to repossess certain leased premises.

10 BY repealing and reenacting, with amendments,
11 Article - Real Property
12 Section 8-402.1(a)(1)
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 2000 Supplement)

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

17 **Article - Real Property**

18 8-402.1.

19 (a) (1) (i) [When] WHERE a lease provides that the landlord may
20 repossess the premises if the tenant breaches the lease, [and the landlord has given
21 the tenant 1 month's written notice that the tenant is in violation of the lease and the
22 landlord desires to repossess the premises, and if the tenant or person in actual

1 possession refuses to comply,] the landlord may make complaint in writing to the
2 District Court of the county where the premises is located IF:

3 1. THE TENANT BREACHES THE LEASE;

4 2. A. THE LANDLORD HAS GIVEN THE TENANT ~~1 MONTH'S~~
5 30 DAYS' WRITTEN NOTICE THAT THE TENANT IS IN VIOLATION OF THE LEASE AND
6 THE LANDLORD DESIRES TO REPOSSESS THE LEASED PREMISES; OR

7 B. THE BREACH OF THE LEASE INVOLVES BEHAVIOR BY A
8 TENANT OR A PERSON WHO IS ON THE PROPERTY WITH THE TENANT'S CONSENT,
9 WHICH DEMONSTRATES A CLEAR AND IMMINENT DANGER OF THE TENANT OR
10 PERSON DOING SERIOUS HARM TO THEMSELVES, OTHER TENANTS, THE LANDLORD,
11 THE LANDLORD'S PROPERTY OR REPRESENTATIVES, OR ANY OTHER PERSON ON THE
12 PROPERTY AND THE LANDLORD HAS GIVEN THE TENANT OR PERSON IN POSSESSION
13 ~~5~~ 14 DAYS' WRITTEN NOTICE THAT THE TENANT OR PERSON IN POSSESSION IS IN
14 VIOLATION OF THE LEASE AND THE LANDLORD DESIRES TO REPOSSESS THE LEASED
15 PREMISES; AND

16 3. THE TENANT OR PERSON IN ACTUAL POSSESSION OF THE
17 PREMISES REFUSES TO COMPLY.

18 (ii) The court shall summons immediately the tenant or person in
19 possession to appear before the court on a day stated in the summons to show cause,
20 if any, why restitution of the possession of the leased premises should not be made to
21 the landlord.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2001.