

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 1214
Economic Matters

(Delegate Krysiak)

Judicial Proceedings

Real Property - Landlord and Tenant - Repossession

This bill authorizes a landlord to file a complaint in the District Court when an unexpired lease for a stated term provides that the landlord may repossess the premises prior to the expiration of the term if: (1) the tenant breaches the lease; (2) the landlord gives the tenant one month's written notice about the lease violation and the landlord's desire to repossess the premises; and (3) the tenant or person in actual possession refuses to comply with the request.

Fiscal Summary

State Effect: The bill would not substantively change State activities or operations.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: When a lease provides that the landlord may repossess the premises if the tenant breaches the lease and the tenant does breach the lease, the landlord may make a complaint in writing to the District Court. The landlord must give the tenant one month's written notice that the tenant is in violation of the lease and the landlord desires to repossess the premises. The court must then summons the tenant to a hearing. If the court determines that the tenant has breached the lease, the court must grant possession of the premises to the landlord and enter a judgment against the tenant for costs. Acceptance of rent payment by the landlord after notice but before eviction does not

operate as a waiver of any notice of breach of the lease or any judgment for possession, unless the parties agree in writing.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Office of the Attorney General, Department of Legislative Services

Fiscal Note History: First Reader – February 27, 2001
ncs/jr

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