

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 176
Economic Matters

(Delegate Doory, *et al.*)

Real Property - Ground Rent - Limit on Costs

This bill limits the amount a landlord may collect for property subject to ground rent in a suit, action, or proceeding to recover back rent to the lesser of actual expenses or \$400 in addition to the rent payable.

Fiscal Summary

State Effect: The bill would not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: For property subject to a ground lease, a landlord may bring an action for possession of the property 30 days after sending a bill for the ground rent to the tenant's last known address when: (1) at least six months ground rent is in arrears; and (2) the landlord has the right to reenter for nonpayment of the rent. In a suit for back rent on a ground lease, a landlord may demand or recover up to three years back rent.

No provision: (1) specifically authorizes a landlord to claim costs in addition to the back due ground rent; or (2) limits the amount a landlord may claim as costs, including attorney's fees, in addition to the back due rent.

Additional Information

Prior Introductions: None.

Cross File: SB 225 (Senator Conway, *et al.*) – Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - February 1, 2002
lsc/jr

Analysis by: Ryan Wilson

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510