
By: **Delegates Bobo, Anderson, Cardin, Carter, Harrison, Kirk, Paige,
Petzold, and Vaughn**

Introduced and read first time: February 7, 2003

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Residential Leases - Termination - Disability**

3 FOR the purpose of providing that if a tenant vacates a dwelling unit before the end
4 of the tenant's term, the liability of the tenant for rent under a lease may not
5 exceed a certain amount if the tenant or a member of the tenant's family
6 residing in the rental until has a disability, the tenant has vacated the lease
7 before the end of the tenant's term because of the disability, and the tenant has
8 delivered to the landlord a notice of termination and a certain certification by a
9 physician licenced to practice medicine in the State; providing that nothing in
10 this Act shall be construed to relieve a tenant of liability for damage to a rental
11 unit caused by an act or omission of the tenant; providing for the applicability of
12 this Act; defining a certain term; and generally relating to the termination of
13 leases.

14 BY adding to
15 Article - Real Property
16 Section 8-215
17 Annotated Code of Maryland
18 (1996 Replacement Volume and 2002 Supplement)

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

21 **Article - Real Property**

22 8-215.

23 (A) IN THIS SECTION, "DISABILITY" HAS THE MEANING STATED IN ARTICLE
24 49B, § 20 OF THE CODE.

25 (B) (1) THIS SECTION IS APPLICABLE ONLY TO LEASES WITH A DURATION
26 OF AT LEAST 30 DAYS.

1 (2) THIS SECTION DOES NOT APPLY TO LANDLORDS WHO OFFER LESS
2 THAN FIVE DWELLING UNITS FOR RENT IN THE STATE.

3 (C) IF A TENANT VACATES A DWELLING UNIT BEFORE THE END OF THE
4 TENANT'S TERM, THE LIABILITY OF THE TENANT FOR RENT UNDER A LEASE MAY
5 NOT EXCEED THE AMOUNT OF RENT THAT WAS DUE ON THE DATE THAT THE
6 TENANT VACATED THE DWELLING UNIT PLUS 30 DAYS' RENT IF:

7 (1) THE TENANT OR A MEMBER OF THE TENANT'S FAMILY RESIDING IN
8 THE RENTAL UNIT HAS A DISABILITY;

9 (2) THE TENANT HAS VACATED THE LEASE BEFORE THE END OF THE
10 TENANT'S TERM BECAUSE OF THE DISABILITY; AND

11 (3) THE TENANT HAS DELIVERED TO THE LANDLORD A NOTICE OF
12 TERMINATION AND WRITTEN VERIFICATION BY A PHYSICIAN LICENSED TO
13 PRACTICE MEDICINE IN THE STATE THAT SPECIFIES THE DISABILITY AND THE
14 RESTRICTIONS CAUSED BY THE DISABILITY THAT HAVE CAUSED THE TENANT OR
15 THE FAMILY MEMBER OF THE TENANT TO BE UNABLE TO CONTINUE SAFELY
16 OCCUPYING THE RENTED PREMISES, AND STATES THE PHYSICIAN'S PROGNOSIS FOR
17 THE DURATION OF THE DISABILITY.

18 (D) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO RELIEVE A TENANT
19 OF LIABILITY FOR DAMAGE TO A RENTAL UNIT CAUSED BY AN ACT OR OMISSION OF
20 THE TENANT.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2003.