
By: **Delegate Weir**

Introduced and read first time: February 10, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant - Tenant's Right to Redeem Leased Premises Before**
3 **Eviction - Payment by Certified Check or Money Order**

4 FOR the purpose of altering, in an action of summary ejectment when a landlord is
5 awarded a judgment of restitution, the method by which a tenant may pay a
6 landlord or a landlord's agent all past due rent amounts, fees, court costs, and
7 court fees in order to redeem the warrant of restitution for the leased premises;
8 eliminating a tenant's right to pay certain amounts by tendering cash and
9 requiring the tenant to pay by certified check or money order; making
10 conforming changes in the law to redeem leased premises in a mobile home
11 park; and generally relating to the payment method for redeeming leased
12 premises before eviction.

13 BY repealing and reenacting, with amendments,
14 Article - Real Property
15 Section 8-401(e) and 8A-1701(e)
16 Annotated Code of Maryland
17 (2003 Replacement Volume and 2005 Supplement)

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

20 **Article - Real Property**

21 8-401.

22 (e) (1) In any action of summary ejectment for failure to pay rent where the
23 landlord is awarded a judgment giving the landlord restitution of the leased premises,
24 the tenant shall have the right to redemption of the leased premises by tendering [in
25 cash,] A certified check or money order to the landlord or the landlord's agent TO PAY
26 all past due amounts, as determined by the court under subsection (c) of this section,
27 plus all court awarded costs and fees, at any time before actual execution of the
28 eviction order.

1 (2) This subsection does not apply to any tenant against whom 3
2 judgments of possession have been entered for rent due and unpaid in the 12 months
3 prior to the initiation of the action to which this subsection otherwise would apply.

4 8A-1701.

5 (e) In any action of summary ejection for failure to pay rent where the park
6 owner is awarded a judgment giving him restitution of the leased premises, the
7 resident shall have the right to redemption of the leased premises by tendering [in
8 cash,] A certified [check,] CHECK or money order to the park owner or his agent TO
9 PAY all past due rent and late fees, plus all court awarded costs and fees, at any time
10 before actual execution of the eviction order. This subsection does not apply to any
11 resident against whom 3 judgments of possession have been entered for rent due and
12 unpaid in the 12 months prior to the initiation of the action to which this subsection
13 otherwise would apply.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2006.