
By: **Delegates Oaks, Bobo, Carter, Dumais, Goodwin, Holmes, Jameson,
Kullen, Niemann, Pendergrass, Pugh, and Rosenberg**

Introduced and read first time: February 10, 2006

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Residential Lease - Tenant Release**

3 FOR the purpose of requiring an owner of a certain property who fails to comply with
4 certain standards, on request of a tenant, to release a tenant from a certain
5 lease and pay to the tenant certain relocation expenses not to exceed a certain
6 amount; and generally relating to lead risk reduction in housing and residential
7 leases.

8 BY adding to
9 Article - Real Property
10 Section 8-215
11 Annotated Code of Maryland
12 (2003 Replacement Volume and 2005 Supplement)

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

15 **Article - Real Property**

16 8-215.

17 (A) IN THIS SECTION, "AFFECTED PROPERTY" HAS THE MEANING STATED IN §
18 6-801 OF THE ENVIRONMENT ARTICLE.

19 (B) IF AN OWNER OF AN AFFECTED PROPERTY FAILS TO COMPLY WITH THE
20 APPLICABLE RISK REDUCTION STANDARDS UNDER §§ 6-815 AND 6-819 OF THE
21 ENVIRONMENT ARTICLE, THE OWNER, ON REQUEST OF THE TENANT, SHALL:

22 (1) IMMEDIATELY RELEASE THE TENANT FROM THE TERMS OF THE
23 LEASE OR RENTAL AGREEMENT FOR THAT PROPERTY; AND

24 (2) PAY TO THE TENANT ALL REASONABLE RELOCATION EXPENSES,
25 NOT TO EXCEED \$2,500, DIRECTLY RELATED TO THE PERMANENT RELOCATION OF
26 THE TENANT TO A LEAD-FREE DWELLING UNIT OR ANOTHER DWELLING UNIT THAT

1 HAS PASSED THE TEST FOR LEAD-CONTAMINATED DUST ESTABLISHED UNDER §
2 6-816 OF THE ENVIRONMENT ARTICLE.

3 (C) THE RIGHT OF A TENANT TO REQUEST RELEASE IN ACCORDANCE WITH
4 SUBSECTION (B) OF THIS SECTION DOES NOT PRECLUDE THE TENANT FROM
5 PURSUING ANY OTHER RIGHT OR REMEDY AVAILABLE TO THE TENANT AT LAW OR
6 EQUITY AND IS IN ADDITION TO THEM.

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