
By: **Senator McFadden (By Request - Baltimore City Administration)**

Introduced and read first time: March 6, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Housing Authority Tenants - Right of Tenant Substitution -**
3 **Exception**

4 FOR the purpose of making an exception to the requirement that an immediate
5 family member who lived with a tenant in Baltimore City be given the right to
6 be substituted as tenant after the tenant's death; providing that the right of
7 substitution does not apply to an individual who lived with a tenant of the
8 Housing Authority of Baltimore City; and generally relating to the Housing
9 Authority of Baltimore City.

10 BY repealing and reenacting, with amendments,
11 The Public Local Laws of Baltimore City
12 Section 9-8
13 Article 4 - Public Local Laws of Maryland
14 (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

17 **Article 4 - Baltimore City**

18 9-8.

19 If a tenant under any demise for the tenant's residential use, OTHER THAN A
20 TENANT OF THE HOUSING AUTHORITY OF BALTIMORE CITY, shall die, the surviving
21 spouse, or any member of his immediate family who has occupied the premises with
22 the deceased tenant at the time of his death shall have the right, upon payment to the
23 landlord of the agreed rent (including any rent that may be in arrears at the time of
24 tenant's death) to be substituted as tenant to the same extent as the original tenant.

25 If a tenant shall die, the landlord shall have the right to summary ejection for
26 nonpayment of rent by making the personal representative of the deceased tenant the
27 party defendant.

1 If a tenant shall die and no letter shall be issued on his estate to a personal
2 representative, then the landlord after he shall have filed a statement under oath
3 setting forth these facts shall have the right to proceed in summary ejection for
4 nonpayment of rent by naming the estate of the deceased tenant as the defendant. In
5 such case the summons shall be served upon the occupant of the premises; and if the
6 premises be unoccupied, then the summons shall be served upon one of the next of kin
7 of the deceased tenant, if known. If there be no occupant at the premises or known
8 next of kin available for service then the summons shall be affixed to the premises.

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