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

Introduced and read first time: March 6, 2006

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, March 8, 2006

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2006

CHAPTER _____

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~~ altering the
 5 circumstances under which an immediate family member ~~who lived with a~~
 6 tenant in Baltimore City of a tenant of the Housing Authority of Baltimore City
 7 must be given the right to be substituted as tenant after the tenant's death;
 8 providing that ~~the right of substitution does not apply to an individual who lived~~
 9 ~~with a tenant of the Housing Authority of Baltimore City~~ a certain member of
 10 the immediate family of a deceased tenant of the Housing Authority of
 11 Baltimore City shall have the right to remain as a tenant in accordance with
 12 certain regulations; and generally relating to the Housing Authority of
 13 Baltimore City.

14 BY repealing and reenacting, with amendments,
 15 The Public Local Laws of Baltimore City
 16 Section 9-8
 17 Article 4 - Public Local Laws of Maryland
 18 (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

1

Article 4 - Baltimore City

2 9-8.

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

9 IF A TENANT OF THE HOUSING AUTHORITY OF BALTIMORE CITY SHALL DIE, A
10 MEMBER OF THE DECEASED TENANT'S IMMEDIATE FAMILY WHO IS AN APPROVED
11 OCCUPANT OF THE PREMISES AT THE TIME OF DEATH SHALL HAVE THE RIGHT TO
12 REMAIN AS A TENANT IN ACCORDANCE WITH FEDERAL REGULATIONS.

13 If a tenant shall die, the landlord shall have the right to summary ejectment for
14 nonpayment of rent by making the personal representative of the deceased tenant the
15 party defendant.

16 If a tenant shall die and no letter shall be issued on his estate to a personal
17 representative, then the landlord after he shall have filed a statement under oath
18 setting forth these facts shall have the right to proceed in summary ejectment for
19 nonpayment of rent by naming the estate of the deceased tenant as the defendant. In
20 such case the summons shall be served upon the occupant of the premises; and if the
21 premises be unoccupied, then the summons shall be served upon one of the next of kin
22 of the deceased tenant, if known. If there be no occupant at the premises or known
23 next of kin available for service then the summons shall be affixed to the premises.

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