

Department of Legislative Services  
Maryland General Assembly  
2006 Session

FISCAL AND POLICY NOTE

House Bill 1403 (Delegate Weir)  
Environmental Matters

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

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This bill repeals the provision authorizing a tenant to pay by cash when the tenant is redeeming leased property after judgment is entered in favor of a landlord in an eviction proceeding. Accordingly, redemption of leased property may only be done by certified check or money order.

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**Fiscal Summary**

**State Effect:** The bill would not directly affect governmental finances or operations.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** When a tenant fails to pay rent, the landlord is entitled to repossession of the premises through filing an action in District Court. If the court finds in favor of the landlord, the court must order that possession of the premises be given to the landlord within four days after trial. However, the tenant may still pay the past due rent and late fees. If the tenant does so, judgment is for the tenant. If the judgment is in favor of the landlord and the tenant fails to pay the past due rent and late fees, the court must issue its warrant directed to any official of the county entitled to serve process, ordering the official to give the landlord possession of the premises and to remove, by force if

necessary, the personal property of the tenant and anyone claiming or holding by or under the tenant.

The tenant also has a right to redeem the leased premises after the landlord is awarded a judgment by giving the landlord or the landlord's agent all past due amounts, as determined by the court, plus all court awarded costs and fees, at any time before the execution of the eviction order. The tenant may pay in cash, by certified check, or by money order.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Office of the Attorney General (Consumer Protection Division), Department of Legislative Services

**Fiscal Note History:** First Reader - March 6, 2006  
ncs/jr

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