

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 407 (Delegate Weir, *et al.*)
Environmental Matters

Breach of Lease - Tenant Protection from Imminent Danger

This bill reduces the written notice period, from 14 to 2 days, when a landlord intends to file an eviction action because of a breach of the lease involving behavior that demonstrates a clear and imminent danger of serious harm.

Fiscal Summary

State Effect: The bill would not materially affect the finances or operations of the Judiciary.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: If an unexpired lease authorizes the landlord to repossess the premises prior to the term of the lease in the event the tenant breaches the lease, the landlord may file an action for repossession (an eviction action) in the District Court. The landlord may file the complaint after giving written notice to the tenant.

A landlord is required to give 14 days' notice to file an action for repossession if the tenant or another person on the premises with the tenant's permission breaches the lease by behaving in a manner that constitutes a clear and imminent danger of doing serious harm to himself or herself, the landlord, the landlord's property or representatives, other

tenants, or any other persons on the premises. Otherwise, the landlord must give the tenant 30 days' notice.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 27, 2007
ncs/jr

Analysis by: T. Ryan Wilson

Direct Inquiries to:
(410) 946-5510
(301) 970-5510