

# HOUSE BILL 13

N1

8lr0763

(PRE-FILED)

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By: **Delegates Sossi, Aumann, Eckardt, Frank, Shewell, and Weir**

Requested: September 26, 2007

Introduced and read first time: January 9, 2008

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Commercial Retail Property – Common Area**  
3 **Maintenance Records**

4 FOR the purpose of requiring a certain landlord to make documentation for expenses  
5 associated with repairs, upkeep, replacements, and improvements made to a  
6 commercial retail parcel or location available, in certain circumstances, to a  
7 tenant; requiring a tenant to give notice, within a certain time period, of a  
8 request to inspect certain documents; defining a certain term; providing for the  
9 application of this Act; and generally relating to records of commercial retail  
10 property and common area maintenance.

11 BY adding to  
12 Article – Real Property  
13 Section 8–119  
14 Annotated Code of Maryland  
15 (2003 Replacement Volume and 2007 Supplement)

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

18 **Article – Real Property**

19 **8–119.**

20 (A) (1) IN THIS SECTION, “LANDLORD” MEANS AN OWNER OF  
21 COMMERCIAL RETAIL PROPERTY WHO OFFERS MORE THAN SIX SINGLE  
22 DESIGNATED AREAS, STORES, OR SPACES FOR LEASE ON ONE PARCEL OR IN ONE  
23 LOCATION.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   (2)    **“LANDLORD” INCLUDES:**

2                                (I)    **A PERSON CONTROLLED OR OWNED BY A LANDLORD;**

3   **AND**

4                                (II)   **A PERSON ACTING ON BEHALF OF OR AFFILIATED WITH**

5   **A LANDLORD.**

6            (B)    (1)    **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**  
7   **LANDLORD SHALL MAKE AVAILABLE FOR INSPECTION AT THE PRINCIPAL**  
8   **OFFICE OF THE LANDLORD IN THIS STATE, OR AT THE LEASED LOCATION, ALL**  
9   **OF THE ORIGINAL DOCUMENTS, INCLUDING BILLS, INVOICES, RECEIPTS,**  
10   **CHECKS PAID, AND CREDITS OR REFUNDS RECEIVED FOR EXPENSES**  
11   **ASSOCIATED WITH REPAIRS, UPKEEP, REPLACEMENTS, AND IMPROVEMENTS**  
12   **MADE TO THE COMMERCIAL RETAIL PARCEL OR LOCATION.**

13                   (2)    **A TENANT SHALL GIVE THE LANDLORD NOT LESS THAN 15**  
14   **DAYS’ NOTICE OF A REQUEST TO INSPECT THE DOCUMENTS IN ACCORDANCE**  
15   **WITH THIS SUBSECTION.**

16            SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
17   construed to apply only prospectively and may not be applied or interpreted to have  
18   any effect on or application to any lease entered into before the effective date of this  
19   Act.

20            SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21   October 1, 2008.