

# HOUSE BILL 1374

N1

8lr2701

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By: **Delegates Myers, Beitzel, Elliott, Jennings, Kelly, McKee, Shank, Shewell, and Stifler**

Introduced and read first time: February 8, 2008

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Eviction – Abandoned Chattels**

3 FOR the purpose of providing that certain chattels that remain on property  
4 repossessed by a landlord shall be presumed abandoned under certain  
5 circumstances; providing that a landlord or a landlord's agent may not be liable  
6 for any loss or damage to abandoned chattels; authorizing a landlord to dispose  
7 of abandoned chattels by certain means; and generally relating to removal of a  
8 tenant's chattels from property repossessed by a landlord.

9 BY adding to  
10 Article – Real Property  
11 Section 8–405 and 8–406  
12 Annotated Code of Maryland  
13 (2003 Replacement Volume and 2007 Supplement)

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

16 **Article – Real Property**

17 **8–405.**

18 (A) **ALL FURNITURE, IMPLEMENTS, TOOLS, GOODS, EFFECTS, OR ANY**  
19 **OTHER CHATTELS BELONGING TO A TENANT OR TO ANY PERSON CLAIMING OR**  
20 **HOLDING BY OR UNDER THE TENANT THAT REMAIN ON PROPERTY**  
21 **REPOSSESSED BY THE LANDLORD UNDER § 8–401 OR § 8–402 OF THIS SUBTITLE**  
22 **WHEN THE WARRANT OF RESTITUTION IS EXECUTED SHALL BE PRESUMED**  
23 **ABANDONED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) A LANDLORD OR A LANDLORD'S AGENT IS NOT LIABLE FOR ANY**  
2           **LOSS OR DAMAGE TO ABANDONED CHATTELS.**

3           **8-406.**

4           **A LANDLORD OR A LANDLORD'S AGENT MAY DISPOSE OF ABANDONED**  
5           **CHATTELS BY:**

6                   **(1) TRANSPORTING THE ABANDONED CHATTELS TO A REFUSE**  
7           **DISPOSAL SYSTEM, AS DEFINED IN § 9-201 OF THE ENVIRONMENT ARTICLE;**

8                   **(2) DONATING THE ABANDONED CHATTELS TO A CHARITABLE**  
9           **ORGANIZATION; OR**

10                   **(3) OTHER LEGAL MEANS.**

11           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
12           **October 1, 2008.**