

HOUSE BILL 1226

N1

11r2812

By: **Delegate Weir**

Introduced and read first time: February 18, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Right to Redemption of Leased Premises – Forms of Payment**

3 FOR the purpose of altering the forms of payment that a tenant or a mobile home park
4 resident may use to tender payment in order to exercise the tenant's or
5 resident's right to redemption of leased premises under certain circumstances;
6 and generally relating to the right to redemption of leased premises.

7 BY repealing and reenacting, with amendments,
8 Article – Real Property
9 Section 8–401(e)(1) and 8A–1701(e)
10 Annotated Code of Maryland
11 (2010 Replacement Volume and 2010 Supplement)

12 BY repealing and reenacting, with amendments,
13 The Public Local Laws of Baltimore City
14 Section 9–5(b)(1)
15 Article 4 – Public Local Laws of Maryland
16 (1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

19 **Article – Real Property**

20 8–401.

21 (e) (1) Subject to paragraph (2) of this subsection, in any action of
22 summary ejectment for failure to pay rent where the landlord is awarded a judgment
23 giving the landlord restitution of the leased premises, the tenant shall have the right
24 to redemption of the leased premises by tendering [in cash,] **BY** certified check or
25 money order to the landlord or the landlord's agent all past due amounts, as

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 determined by the court under subsection (c) of this section, plus all court awarded
2 costs and fees, at any time before actual execution of the eviction order.

3 8A-1701.

4 (e) In any action of summary ejectment for failure to pay rent where the
5 park owner is awarded a judgment giving him restitution of the leased premises, the
6 resident shall have the right to redemption of the leased premises by tendering [in
7 cash, certified check,] **BY CERTIFIED CHECK** or money order to the park owner or his
8 agent all past due rent and late fees, plus all court awarded costs and fees, at any time
9 before actual execution of the eviction order. This subsection does not apply to any
10 resident against whom 3 judgments of possession have been entered for rent due and
11 unpaid in the 12 months prior to the initiation of the action to which this subsection
12 otherwise would apply.

13 **Article 4 – Baltimore City**

14 9-5.

15 (b) (1) In any action of summary ejectment for failure to pay rent where
16 the landlord is awarded a judgment giving him restitution of the leased premises, the
17 tenant has the right to redemption of the leased premises by tendering [in cash,] **BY**
18 certified check or money order to the landlord or his agent all past due rent and late
19 fees, plus all court awarded costs and fees, at any time before actual execution of the
20 eviction order.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2011.