

HOUSE BILL 1365

N1

6lr1280
CF SB 621

By: **Delegates Folden, Adams, Anderton, Aumann, Barkley, Beitzel, Bromwell, Buckel, Carr, Cassilly, Hornberger, C. Howard, S. Howard, Long, Mautz, McKay, Metzgar, Pena–Melnyk, Reilly, Rose, Saab, Shoemaker, Simonaire, Smith, Szeliga, Vogt, ~~and C. Wilson~~ C. Wilson, Beidle, Healey, Holmes, Jalisi, Knotts, Lam, McCray, and Wivell**

Introduced and read first time: February 12, 2016

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2016

CHAPTER _____

1 AN ACT concerning

2 **Landlord and Tenant – Military Personnel – Limitation on Liability for Rent**

3 FOR the purpose of altering the circumstances under which the liability, for rent under a
4 lease, of a person on active duty with the United States military is limited; limiting
5 the liability for rent of the spouse of a person on active duty with the United States
6 military under certain circumstances; defining a certain term; and generally relating
7 to the liability for rent of certain military personnel and spouses.

8 BY repealing and reenacting, with amendments,

9 Article – Real Property

10 Section 8–212.1

11 Annotated Code of Maryland

12 (2015 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

14 That the Laws of Maryland read as follows:

15 **Article – Real Property**

16 8–212.1.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) IN THIS SECTION, "CHANGE OF ASSIGNMENT" INCLUDES:

2 (1) PERMANENT CHANGE OF STATION ORDERS;

3 (2) TEMPORARY DUTY ORDERS FOR A PERIOD EXCEEDING 90 DAYS;

4 ~~AND~~

5 (3) ORDERS REQUIRING A PERSON TO MOVE INTO QUARTERS
6 LOCATED ON A MILITARY INSTALLATION; AND

7 (4) A RELEASE FROM ACTIVE DUTY, INCLUDING:

8 (I) RETIREMENT;

9 (II) SEPARATION OR DISCHARGE UNDER HONORABLE
10 CONDITIONS; AND

11 (III) DEMOBILIZATION OF AN ACTIVATED RESERVIST OR A
12 MEMBER OF THE NATIONAL GUARD WHO WAS SERVING ON ACTIVE DUTY ORDERS
13 FOR AT LEAST 180 CONSECUTIVE DAYS.

14 (B) Notwithstanding any other provision of this title, if a person who is on active
15 duty with the United States military, **OR THE PERSON'S SPOUSE**, enters into a residential
16 lease of property and **THE PERSON** subsequently receives [permanent change of station
17 orders or temporary duty orders for a period in excess of 3 months] **A CHANGE OF**
18 **ASSIGNMENT, BEFORE OR AFTER OCCUPYING THE PROPERTY**, any liability of the
19 person, **OR THE PERSON'S SPOUSE**, for rent under the lease may not exceed:

20 (1) 30 days' rent after written notice and proof of the **CHANGE OF**
21 assignment is given to the landlord; and

22 (2) The cost of repairing damage to the premises caused by an act or
23 omission of the tenant.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2016.