

HOUSE BILL 838

N1, L2

7lr1660
CF SB 487

By: **Delegate McIntosh (By Request – Baltimore City Administration)**

Introduced and read first time: February 3, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 31, 2017

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City – Residential Ground Leases – Abandoned Property**

3 FOR the purpose of prohibiting a ground lease holder from taking certain actions against
4 the current leasehold tenant of certain abandoned property in Baltimore City to
5 recover ground rent due and owing ~~on certain abandoned property in Baltimore City~~
6 from a former leasehold tenant before the date that the current leasehold tenant
7 acquired title ~~was acquired by Baltimore City to the property~~ under certain
8 circumstances; making conforming changes; and generally relating to residential
9 ground leases in Baltimore City.

10 BY repealing and reenacting, with amendments,
11 Article – Real Property
12 Section 8–806(c)
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2016 Supplement)

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

17 **Article – Real Property**

18 8–806.

19 (c) (1) Notwithstanding any other provision of law, in any suit, action, or
20 proceeding to recover past due ground rent, a ground lease holder may only recover not

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 more than 3 years' past due ground rent, calculated from the date notice was sent under §
2 8-807(c)(1) of this subtitle, if the property is:

3 (i) Owned or acquired by any means by the Mayor and City Council
4 of Baltimore; and

5 (ii) [Abandoned property, as defined in § 21-17(a)(2) of the Public
6 Local Laws of Baltimore City, or distressed] **DISTRESSED** property, as defined in §
7 21-17(a)(3) of the Public Local Laws of Baltimore City.

8 (2) **NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A GROUND**
9 **LEASE HOLDER MAY NOT BRING ANY SUIT, ACTION, ~~PROCEEDING, OR OTHER~~**
10 **~~EFFORT OR PROCEEDING AGAINST THE CURRENT LEASEHOLD TENANT TO RECOVER~~**
11 **THE GROUND RENT THAT WAS DUE AND OWING FROM A FORMER LEASEHOLD**
12 **TENANT BEFORE THE DATE THAT THE ~~MAYOR AND CITY COUNCIL OF BALTIMORE~~**
13 **CURRENT LEASEHOLD TENANT ACQUIRED TITLE, IF THE PROPERTY IS:**

14 (I) **OWNED OR ACQUIRED BY ANY MEANS BY THE ~~MAYOR AND~~**
15 **~~CITY COUNCIL OF BALTIMORE~~ CURRENT LEASEHOLD TENANT; AND**

16 (II) **ABANDONED PROPERTY, AS DEFINED IN § 21-17(A)(2) OF**
17 **THE PUBLIC LOCAL LAWS OF BALTIMORE CITY.**

18 (3) With regard to property described under [paragraph] **PARAGRAPHS (1)**
19 **AND (2)** of this subsection, a ground lease holder may request in writing that the ~~Mayor~~
20 ~~and City Council of Baltimore~~ **CURRENT LEASEHOLD TENANT** acquire the reversionary
21 interest under the ground lease for the market value established at the time of the
22 acquisition by the ~~Mayor and City Council of the leasehold interest~~ **CURRENT LEASEHOLD**
23 **TENANT** under the ground lease.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.