

SENATE BILL 826

L2, N1

8lr1758
CF 8lr1757

By: **Senator Conway (By Request – Baltimore City Administration)**

Introduced and read first time: February 5, 2018

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Landlord and Tenant – False Representations and Unlawful**
3 **Evictions**

4 FOR the purpose of prohibiting certain individuals from making certain false
5 representations or statements to tenants in violation of certain laws in Baltimore
6 City; prohibiting certain individuals from making certain false statements to tenants
7 in connection with certain proceedings in Baltimore City; prohibiting certain
8 individuals from attempting to circumvent certain rights afforded to tenants in
9 connection with the denial of ingress to and egress from a dwelling, diminishing
10 certain services to tenants, or penalizing certain tenants in a certain manner in
11 Baltimore City; providing for certain penalties for a violation of this Act; defining
12 certain terms; making a technical correction; making conforming changes; and
13 generally relating to landlords and tenants in Baltimore City.

14 BY repealing and reenacting, with amendments,
15 The Public Local Laws of Baltimore City
16 Section 9–15
17 Article 4 – Public Local Laws of Maryland
18 (1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

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

21 **Article 4 – Baltimore City**

22 9–15.

23 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
24 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) “AGENT” MEANS ANY AUTHORIZED INDIVIDUAL OR BUSINESS**
2 **ACTING ON BEHALF OF AN OWNER.**

3 **(3) “LANDLORD” MEANS AN OWNER OF REAL PROPERTY LOCATED**
4 **WITHIN BALTIMORE CITY, AN AGENT OF THE OWNER, OR AN OPERATOR WHO**
5 **PROMISES TO LEASE ALL OR ANY PORTION OF A PROPERTY TO ANOTHER PERSON**
6 **FOR THE PERSON’S USE, IN EXCHANGE FOR AN AGREED UPON AMOUNT OF MONEY**
7 **OR SERVICES.**

8 **(4) “LEASE” MEANS ANY ORAL OR WRITTEN AGREEMENT, EXPRESS**
9 **OR IMPLIED, CREATING A LANDLORD AND TENANT RELATIONSHIP, INCLUDING ANY**
10 **SUBLEASE, THAT GRANTS THE TENANT THE USE OF THE LANDLORD’S PROPERTY**
11 **FOR A GIVEN PERIOD OF TIME IN EXCHANGE FOR RENT IN THE FORM OF MONEY OR**
12 **SERVICES.**

13 **(5) “OPERATOR” MEANS ANY PERSON WHO HAS CHARGE, CARE, OR**
14 **CONTROL OF ALL OR ANY PORTION OF A STRUCTURE OR PREMISES ON BEHALF OF**
15 **THE OWNER.**

16 **(6) “TENANT” MEANS ANY PERSON WHO HAS BEEN GIVEN THE RIGHT**
17 **TO USE OR OCCUPY RENTAL PROPERTY THROUGH A LEASE AGREEMENT.**

18 **(B) [Any person, whether as an individual, member or firm or officer of a**
19 **corporation, who shall] AN AGENT, A LANDLORD, OR AN OPERATOR MAY NOT:**

20 **(1) falsely make any representation or statement required by Sections**
21 **9-2, 9-3, 9-12, 9-13, 9-14, 9-15, and 9-19 AND ARTICLE 13, § 8A-2 OF THE**
22 **BALTIMORE CITY CODE to be [made, or who shall] GIVEN;**

23 **(2) falsely make any representation or statement in connection with the**
24 **giving of the notice OR COMPLAINT required by Sections 9-2, 9-3, 9-12, 9-13, 9-14,**
25 **9-15, and 9-19 AND ARTICLE 13, § 8A-2 OF THE BALTIMORE CITY CODE to be given[,**
26 **or who shall];**

27 **(3) falsely make any representation or statement at, during or in**
28 **connection with any proceeding for the enforcement of any rights for the speedy recovery of**
29 **lands or tenements held over by tenants[, or who shall,];**

30 **(4) in an attempt to circumvent the protection accorded tenants by Sections**
31 **9-2, 9-3, 9-12, 9-13, 9-14, 9-15, and 9-19 AND ARTICLE 13, § 8A-2 OF THE**
32 **BALTIMORE CITY CODE, willfully deprive a tenant of ingress to or egress from his**
33 **dwelling[.]; or [who shall]**

1 **(5)** without the consent of the tenant [diminish essential services to the
2 tenant, such as the providing of gas, electricity, water, heat, light, furniture, furnishings,
3 or similar services, to which under the expressed or implied terms of the tenancy the tenant
4 may be entitled, shall be]:

5 **(I) INTERRUPT, TERMINATE, OR FAIL TO MAINTAIN IN**
6 **OPERABLE CONDITION, ANY UTILITY SERVICE FURNISHED TO THE TENANT,**
7 **INCLUDING, BUT NOT LIMITED TO, WATER, HEAT, LIGHT, ELECTRICITY, GAS,**
8 **ELEVATOR, OR SIMILAR SERVICES TO WHICH UNDER THE EXPRESSED OR IMPLIED**
9 **TERMS OF THE TENANCY THE TENANT MAY BE ENTITLED;**

10 **(II) REMOVE FURNISHINGS, COOKING FACILITIES, APPLIANCES,**
11 **OR SIMILAR ITEMS TO WHICH UNDER THE EXPRESS OR IMPLIED TERMS OF THE**
12 **TENANCY THE TENANT MAY BE ENTITLED;**

13 **(III) PREVENT THE TENANT FROM GAINING REASONABLE**
14 **ACCESS TO THE PROPERTY BY CHANGING THE LOCKS AND FAILING TO PROVIDE THE**
15 **TENANT WITH NEW KEYS;**

16 **(IV) REMOVE OUTSIDE DOORS OR WINDOWS; OR**

17 **(V) REMOVE FROM THE PREMISES THE TENANT'S PERSONAL**
18 **PROPERTY, FURNISHINGS, OR ANY OTHER ITEMS.**

19 **(C) AN AGENT, A LANDLORD, OR AN OPERATOR WHO VIOLATES THIS**
20 **SECTION IS** guilty of a misdemeanor and, upon conviction thereof, [shall be] **IS** subject to
21 a fine not exceeding \$500 and imprisonment of not more than ten (10) days, or both, in the
22 discretion of the court, for each and every offense.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2018.