

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 551

(Delegate Wells)

Environment and Transportation

Judicial Proceedings

Real Property - Residential Leases - Notification of Rent Increases

This bill requires a landlord to notify a tenant in writing or through electronic mail at least 90 days prior to a rent increase, if the rent increase exceeds 4%. The bill applies only to residential leases for a term of one year or more.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect local government operations or finances.

Small Business Effect: Minimal.

Analysis

Current Law: There is no State notice requirement prior to increasing the rent under residential leases for terms of at least a year. Generally, a landlord may not arbitrarily increase the rent or decrease services to which the tenant is entitled solely because:

- the tenant or the tenant's agent has filed a good faith written complaint with the landlord or with a public agency against the landlord, as specified;
- the tenant or agent has filed a lawsuit or lawsuits against the landlord or testified or participated in a lawsuit involving the landlord; or
- the tenant is a participant in any tenants' organization.

A tenant may raise a retaliatory action of a landlord (1) in defense to an action for possession or (2) as an affirmative claim for damages.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Anne Arundel, Baltimore, Harford, Howard, Montgomery, and Prince George's counties; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 11, 2022
km/jkb Third Reader - March 29, 2022
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