

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1274 (Delegate Wells)  
Environment and Transportation

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**Landlord and Tenant – Failure to Pay Rent – Evidence of Notice to Tenant**

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This bill requires a landlord filing a complaint in a failure to pay rent action to include evidence in the complaint that the landlord has provided the tenant with prior notice of the intent to file, as required under existing statute.

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**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.

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**Analysis**

**Current Law:** In general, a landlord seeking to evict a tenant must file the appropriate action (*e.g.*, failure to pay rent, breach of lease, etc.) in the District Court.

Prior to filing a failure to pay rent action against a tenant, the landlord must provide written notice to the tenant of the landlord's intent to file a claim to recover possession of the residential premises if the tenant does not cure within 10 days after the notice is provided. The notice must be in a form created by the Judiciary and occurs once the notice is (1) sent by first-class mail; (2) affixed to the door of the premises; or (3) if elected by the tenant, delivered by either electronic mail message, text message, or an electronic tenant portal. A landlord that files an action under a failure to pay rent claim must include a statement that states and affirms that the required notice was provided. A tenant may challenge any

assertions made by the landlord related to the written notice and the court may dismiss the complaint on a showing of sufficient cause.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Department of Legislative Services

**Fiscal Note History:** First Reader - February 29, 2024  
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