

Department of Legislative Services

Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1076

(Delegate Terrasa, *et al.*)

Environment and Transportation

Judicial Proceedings

Residential Real Property - Landlord and Tenant - Notice of Landlord Entry

This bill requires a landlord to provide specified notice before entering a leased premises, subject to limited exception. The bill includes additional provisions in regard to a landlord's entry and authorizes a tenant to seek injunctive relief or damages for a landlord's violation of the bill's provisions.

Fiscal Summary

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

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

Small Business Effect: Minimal.

Analysis

Bill Summary:

Landlord's Access to Rental Property and Notice

Under the bill, generally, a landlord may enter a leased premises to (1) complete repairs, maintenance, modifications, renovations, or improvements; (2) inspect the premises; (3) show the premises to prospective or actual purchasers, mortgagees, tenants, or contractors; (4) ensure the protection and safety of the property and occupants; (5) complete work ordered by a governmental entity; or (6) if appropriate, respond to any other written request of the tenant.

Prior to entering a leased premises, the landlord must provide written notice to the tenant. A landlord may only enter between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, or another time agreed on (in writing) by the tenant. However, a landlord may enter the leased premises without advance notice in the event of an emergency to ensure the imminent protection, preservation, or safety of the property or its occupants or the health, safety, and welfare of other tenants and staff.

The notice must be provided to the tenant at least 24 hours in advance of the planned entry, and:

- include the date and approximate time of the intended entry;
- include the specific purpose of the entry; and
- be delivered by (1) first-class mail with a certificate of mailing (if delivered at least 24 hours before the specified time); (2) paper notice affixed to the door of the leased premises; or (3) if the tenant elects, electronic delivery via email, text message, and/or an electronic tenant portal accessible to the tenant at the time of delivery and the specified entry time.

Electronic delivery is sufficient to provide proof of transmission of the notice. A tenant may also agree in writing to allow entry less than 24 hours after receiving the notice.

If a tenant alleges a housing code violation, the tenant must provide the landlord access to the leased premises within 24 hours after notifying the landlord of the alleged violation.

Judicial Remedy

If seeking judicial relief under the bill's provisions, a tenant must demonstrate that a landlord has either entered the leased premises in violation of the bill or has made repeated demands for entry that are not in compliance with the requirements of the bill. In response to a request for relief, a court may issue an injunction and/or assess appropriate damages against the landlord for breach of the tenant's covenant of quiet enjoyment. A landlord is liable for any violation of the bill committed by the landlord or an agent of the landlord.

Current Law: Generally, landlord-tenant relations are primarily governed by Title 8 of the Real Property Article and relevant local laws. While State statute does not explicitly require landlords to provide notice before entering occupied rental properties or specify acceptable hours of entry, some local jurisdictions have enacted relevant laws. For example, except in emergencies, Prince George's County generally requires 24-hour notice before entry and limits entry to during normal business hours.

Additional Information

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

Designated Cross File: None.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2025
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