

HOUSE BILL 774

N1
HB 709/25 – ENT

6lr2006
CF SB 462

By: **Delegates Wilkins and Smith**

Introduced and read first time: February 4, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Residential Leases and Holdover Tenancies – Local**
3 **Good Cause Termination**
4 **(Good Cause Eviction)**

5 FOR the purpose of authorizing a county to adopt, by local law or ordinance, provisions
6 prohibiting certain landlords of residential property from failing to renew a lease
7 during the lease period or from terminating a holdover tenancy without good cause;
8 establishing certain requirements and prohibitions for a local law or ordinance
9 adopted in accordance with this Act; requiring, in a county that has adopted a local
10 law or ordinance in accordance with this Act, that a landlord provide certain
11 information with a lease related to whether the landlord is subject to the local law
12 or ordinance; requiring the Office of Tenant and Landlord Affairs in the Department
13 of Housing and Community Development to develop certain forms for a landlord to
14 provide to a tenant; requiring, in a county that has adopted a local law or ordinance
15 in accordance with this Act, that a landlord provide certain information to a tenant
16 and in a certain court pleading relating to whether the landlord is required to
17 demonstrate good cause when seeking relief in accordance with a certain provision
18 of law; and generally relating to residential leases and holdover tenancies.

19 BY repealing and reenacting, with amendments,
20 Article – Real Property
21 Section 8–208(c) and 8–402(c)(2)
22 Annotated Code of Maryland
23 (2023 Replacement Volume and 2025 Supplement)

24 BY repealing and reenacting, without amendments,
25 Article – Real Property
26 Section 8–402(c)(1) and (d)
27 Annotated Code of Maryland
28 (2023 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Real Property
3 Section 8–402(e) and 8–402.3
4 Annotated Code of Maryland
5 (2023 Replacement Volume and 2025 Supplement)

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

8 **Article – Real Property**

9 8–208.

10 (c) (1) IN THIS SUBSECTION, “OFFICE” MEANS THE OFFICE OF TENANT
11 AND LANDLORD AFFAIRS IN THE DEPARTMENT OF HOUSING AND COMMUNITY
12 DEVELOPMENT.

13 (2) A lease shall include:

14 [(1)] (I) A statement that the premises will be made available in a
15 condition permitting habitation, with reasonable safety, if that is the agreement, or if that
16 is not the agreement, a statement of the agreement concerning the condition of the
17 premises;

18 [(2)] (II) The landlord’s and the tenant’s specific obligations as to heat,
19 gas, electricity, water, and repair of the premises;

20 [(3)] (III) A receipt for the security deposit as specified in § 8–203.1 of this
21 subtitle; and

22 [(4)] (IV) A copy of the most current version of the Maryland Tenants’ Bill
23 of Rights published by the Office [of Tenant and Landlord Affairs in the Department of
24 Housing and Community Development].

25 (3) (I) THIS PARAGRAPH APPLIES ONLY IN A COUNTY THAT HAS
26 ADOPTED A LOCAL LAW OR ORDINANCE IN ACCORDANCE WITH § 8–402.3 OF THIS
27 TITLE.

28 (II) A LEASE OR LEASE RENEWAL SHALL INCLUDE NOTICE
29 STATING WHETHER THE LANDLORD IS SUBJECT TO THE LOCAL GOOD CAUSE
30 STATUTE OR ORDINANCE OF THE COUNTY IN WHICH A RESIDENTIAL RENTAL UNIT IS
31 LOCATED.

32 (III) A LANDLORD STATING IN A NOTICE UNDER SUBPARAGRAPH
33 (II) OF THIS PARAGRAPH THAT THE LOCAL GOOD CAUSE PROVISIONS OF THE

1 COUNTY DO NOT APPLY TO THE LANDLORD SHALL PROVIDE THE TENANT WITH THE
2 FOLLOWING INFORMATION ON A FORM PRESCRIBED BY THE OFFICE:

3 1. THE FULL LEGAL NAME OF EACH INDIVIDUAL AND
4 THE BUSINESS NAME OF EACH ENTITY WITH DIRECT OR INDIRECT OWNERSHIP OR
5 MEMBERSHIP INTEREST IN THE RESIDENTIAL RENTAL UNIT;

6 2. THE NUMBER OF RESIDENTIAL RENTAL UNITS IN THE
7 STATE OWNED BY EACH INDIVIDUAL OR ENTITY IDENTIFIED UNDER ITEM 1 OF THIS
8 SUBPARAGRAPH, INCLUDING THE ADDRESS OF EACH RESIDENTIAL RENTAL UNIT
9 IDENTIFIED; AND

10 3. ANY OTHER INFORMATION REQUIRED BY THE
11 OFFICE.

12 (iv) AN INDIVIDUAL OR ENTITY HAS AN INTEREST IN A
13 RESIDENTIAL RENTAL UNIT UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IF
14 THE INDIVIDUAL OR ENTITY HAS A DIRECT OR INDIRECT OWNERSHIP OR
15 MEMBERSHIP INTEREST IN ANY ENTITY THAT HAS A DIRECT OR INDIRECT
16 OWNERSHIP OR MEMBERSHIP INTEREST IN THE RENTAL UNIT.

17 (v) IF A LANDLORD BECOMES SUBJECT TO A LOCAL GOOD
18 CAUSE LAW OR ORDINANCE, THE LANDLORD SHALL PROVIDE TIMELY WRITTEN
19 NOTICE TO ALL TENANTS OF THE LANDLORD IN THE COUNTY IN WHICH THE GOOD
20 CAUSE REQUIREMENTS APPLY, INCLUDING ANY TENANT HOLDING OVER UNDER §
21 8-402 OF THIS TITLE.

22 (vi) 1. THE OFFICE SHALL DEVELOP AND MAKE PUBLICLY
23 AVAILABLE A DISCLOSURE FORM FOR USE BY A LANDLORD UNDER SUBPARAGRAPH
24 (III) OF THIS PARAGRAPH.

25 2. THE OFFICE MAY ADOPT REGULATIONS TO CARRY
26 OUT THIS PARAGRAPH.

27 8-402.

28 (c) (1) This subsection applies to all cases of tenancies at the expiration of a
29 stated term, tenancies from year to year, tenancies from month to month, and tenancies
30 from week to week.

31 (2) Except as provided in paragraphs (3) and (4) of this subsection, AND
32 SUBJECT TO ANY LOCAL REQUIREMENT ADOPTED IN ACCORDANCE WITH § 8-402.3
33 OF THIS SUBTITLE, a landlord shall provide written notice of the intent to terminate a
34 tenancy:

(i) If the parties have a written lease for a stated term in excess of 1 week or a tenancy from month to month, 60 days before the expiration of the tenancy;

(ii) In the case of tenancies from year to year, including tobacco farm tenancies from year to year but excluding all other farm tenancies from year to year, 90 days before the expiration of the current year of the tenancy;

(iii) In the case of tenancies from year to year for all other farm tenancies, 180 days before the expiration of the current year of the tenancy; and

8 (iv) In the case of tenancies from week to week;

13 (d) Unless stated otherwise in the written lease and initialed by the tenant, when
14 a landlord consents to a holdover tenant remaining on the premises, the holdover tenant
15 becomes a periodic week-to-week tenant if the tenant was a week-to-week tenant before
16 the tenant's holding over, and a periodic month-to-month tenant in all other cases.

17 (E) (1) IN THIS SUBSECTION, "OFFICE" MEANS THE OFFICE OF TENANT
18 AND LANDLORD AFFAIRS IN THE DEPARTMENT OF HOUSING AND COMMUNITY
19 DEVELOPMENT.

(II) THE OFFICE SHALL DEVELOP AND MAKE PUBLICLY AVAILABLE A FORM FOR THE NOTICE UNDER THIS PARAGRAPH.

10 (II) A LANDLORD SHALL PLEAD SPECIFIC FACTS IN THE
11 COMPLAINT TO PROVE THE STATEMENTS MADE UNDER SUBPARAGRAPH (I) OF THIS
12 PARAGRAPH BY A PREPONDERANCE OF THE EVIDENCE.

13 (III) 1. IF A LANDLORD CLAIMS IN THE STATEMENT THAT THE
14 LANDLORD IS NOT SUBJECT TO THE LOCAL GOOD CAUSE REQUIREMENTS UNDER §
15 8-402.3(B) OF THIS SUBTITLE, THE LANDLORD SHALL INCLUDE A CURRENT
16 DISCLOSURE FORM AS PROVIDED IN § 8-208(C)(3)(III) OF THIS TITLE WITH THE
17 COMPLAINT.

26 8-402.3.

(A) IN THIS SECTION, "HOLDOVER TENANCY" MEANS A TENANCY ESTABLISHED UNDER § 8-402(D) OF THIS SUBTITLE.

(2) EACH OF THE FOLLOWING GROUNDS SHALL CONSTITUTE GOOD CAUSE IN A LOCAL LAW OR ORDINANCE ADOPTED UNDER THIS SECTION:

3 (I) A TENANT COMMITTING A SUBSTANTIAL BREACH OF THE
4 LEASE OR CAUSING SUBSTANTIAL DAMAGE TO THE LEASED PREMISES OR ANOTHER
5 AREA OF THE PROPERTY AND, AFTER RECEIVING NOTICE TO CURE OR CORRECT THE
6 BREACH OR PAY THE REASONABLE COST OF REPAIRING THE DAMAGE, FAILING TO
7 COMPLY WITHIN 14 DAYS;

10 (III) A TENANT ENGAGING IN ILLEGAL ACTIVITY ON THE LEASED
11 PREMISES, ANOTHER AREA OF THE PROPERTY, OR A PUBLIC RIGHT-OF-WAY
12 ABUTTING THE LEASED PREMISES;

13 (IV) A TENANT, WITHOUT REASONABLE CAUSE, REFUSING TO
14 GRANT THE LANDLORD ACCESS TO THE LEASED PREMISES FOR THE PURPOSE OF
15 MAKING REPAIRS OR IMPROVEMENTS OR INSPECTING THE LEASED PREMISES, OR
16 AS OTHERWISE AUTHORIZED UNDER THE RESIDENTIAL LEASE OR APPLICABLE LAW;

17 (v) A HOLDOVER TENANT FAILING TO ACCEPT A LANDLORD'S
18 OFFER OF A NEW LEASE AGREEMENT FOR A TERM OF AT LEAST 1 MONTH BUT NOT
19 LONGER THAN THE TERM OF THE LEASE AGREEMENT EFFECTIVE IMMEDIATELY
20 BEFORE THE HOLDOVER TENANCY WITHIN 1 MONTH AFTER THE LANDLORD MAKES
21 THE OFFER OR A GREATER PERIOD OF TIME AS OTHERWISE ESTABLISHED BY LAW;

22 (VI) A TENANT REPEATEDLY COMMITTING MINOR VIOLATIONS
23 OF THE LEASE THAT:

29 (VII) A TENANT HABITUALLY FAILING TO PAY RENT WHEN DUE,
30 IF THE TENANT HAS BEEN NOTIFIED BY THE LANDLORD IN WRITING THAT THE RENT
31 IS MORE THAN 10 DAYS LATE AT LEAST FOUR TIMES IN A 12-MONTH PERIOD:

1 (VIII) A LANDLORD, IN GOOD FAITH, SEEKING TO RECOVER
2 POSSESSION OF THE LEASED PREMISES FOR USE BY THE LANDLORD OR THE
3 LANDLORD'S:

1. SPOUSE;
2. CHILD OR STEPCHILD;
3. PARENT OR STEPPARENT;
4. GRANDPARENT;
5. SIBLING;
6. MOTHER-IN-LAW OR FATHER-IN-LAW;
7. DAUGHTER-IN-LAW OR SON-IN-LAW;
8. GRANDCHILD; OR
9. AUNT OR UNCLE;

13 (IX) A LANDLORD, AFTER HAVING OBTAINED ALL NECESSARY
14 PERMITS, SEEKING TO UNDERTAKE SUBSTANTIAL REPAIRS OR RENOVATIONS THAT
15 CANNOT BE COMPLETED WHILE THE LEASED PREMISES ARE OCCUPIED; AND

16 (X) A LANDLORD, IN GOOD FAITH, SEEKING TO REMOVE THE
17 LEASED PREMISES FOR AT LEAST 1 YEAR FROM THE RENTAL MARKET.

20 (c) A LOCAL LAW OR ORDINANCE ADOPTED BY A COUNTY UNDER THIS
21 SECTION:

22 (1) SHALL APPLY ONLY TO A LANDLORD THAT OWNS SIX OR MORE
23 RESIDENTIAL RENTAL UNITS IN THE STATE, INCLUDING ANY RESIDENTIAL RENTAL
24 UNITS THAT THE LANDLORD OWNS OR CONTROLS;

25 (I) IN WHOLE OR IN PART:

26 (II) DIRECTLY OR INDIRECTLY: OR

27 (III) THROUGH ONE OR MORE LEGAL ENTITIES; AND

(2) MAY NOT:

2 (I) APPLY TO AN OWNER-OCCUPIED RESIDENTIAL RENTAL
3 UNIT;

10 (D) A LOCAL LAW OR ORDINANCE ADOPTED BY A COUNTY UNDER THIS
11 SECTION SHALL APPLY UNIFORMLY THROUGHOUT THE COUNTY, INCLUDING IN
12 MUNICIPALITIES.

13 (E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
14 FOR PURPOSES OF ESTABLISHING THE NUMBER OF UNITS OWNED BY A LANDLORD
15 TO DETERMINE THE APPLICABILITY OF A LOCAL LAW OR ORDINANCE ADOPTED IN
16 ACCORDANCE WITH THIS SECTION, ANY RESIDENTIAL RENTAL UNIT IN THE STATE
17 OWNED BY AN INDIVIDUAL OR ENTITY THAT HAS DIRECT OR INDIRECT OWNERSHIP
18 OR MEMBERSHIP INTEREST IN THE LANDLORD SHALL BE CONSIDERED A UNIT
19 OWNED BY THE LANDLORD.

25 (F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, NOTHING IN
26 THIS SECTION MAY BE INTERPRETED TO ALTER THE RIGHTS OF A LANDLORD THAT
27 SEEKS RELIEF UNDER THIS SUBTITLE.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2026.

