

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 867
Judiciary

(Delegate Conaway)

Real Property - Actions for Wrongful Detainer - Required Postings

This bill establishes that statutory provisions regarding wrongful detainer actions are only applicable if the property is conspicuously posted against trespass or loitering.

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: None.

Analysis

Current Law: Wrongful detainer means to hold possession of real property without the right to do so. A wrongful detainer action is not available if (1) the person in actual possession of the property has been granted possession under a court order; (2) a remedy is available under general landlord/tenant law; or (3) any other exclusive means to recover possession is provided by statute or rule. Generally, if a person holds possession of a property to which the person is not entitled, a person claiming possession (complainant) may file a complaint, in writing, with the District Court. Once the court receives a complaint, the court must immediately summon the person in possession of the property to appear before the court on the day specified in the summons to show why the court should not restore possession of the property to the complainant. The hearing must be held within 10 business days after the complaint is filed. If the court determines the complainant is legally entitled to possession, the court must give judgment for restitution of the property

to the complainant and direct the sheriff to deliver possession of the property to the complainant.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 252 of 2025.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 27, 2026
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