# Article - Real Property

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§8–212.2.

(a) In this section, "mental disorder" has the meaning stated in § 10–101 of the Health – General Article.

(b) This section does not apply to a tenant under a residential lease that contains a liquidated damages clause or early termination clause that:

(1) Requires written notice to vacate of 1 month or less; and

(2) Imposes liability for rent less than or equal to 2 months' rent after the date on which the tenant vacates the leased premises.

(c) Subject to subsection (b) of this section and notwithstanding any other provision of this title, if a tenant under a residential lease meets the conditions set forth in subsection (d) of this section, the tenant's liability for rent under the lease may not exceed 2 months' rent after the date on which the tenant vacates the leased premises.

(d) To qualify for the limitation of liability under subsection (c) of this section, the tenant shall provide to the landlord before the tenant vacates the leased premises:

(1) Subject to the provisions of subsection (e) of this section, a written certification from a physician or psychologist regarding an individual who is a named party in, or an authorized occupant under the terms of, the lease that states in substantially the following form:

"I, (name of physician or psychologist), hereby certify that my patient, (name of patient), is no longer able to live at his or her leased premises, (address of leased premises), because the patient has a medical condition that:

(1) Substantially restricts the physical mobility of the patient within, or from entering and exiting, the leased premises;

(2) Requires the patient to move to a home, facility, or institution to obtain a higher level of care than can be provided at the leased premises; or

(3) Is a mental disorder that:

(i) Causes the continued habitation of the leased premises to be unfeasible or unsustainable for the patient; or

(ii) Requires the patient to move to a home, facility, or institution to obtain a higher level of care than can be provided at the leased premises.

I certify further that the expected duration of the patient's medical condition will continue beyond the termination date of the patient's lease, which the patient states is (termination date of lease).”; and

(2) A written notice of the termination of the lease stating the date by when the tenant will vacate the leased premises.

(e) A certification that is provided to a landlord under subsection (d)(1) of this section shall be:

(1) Written by:

(i) A physician who is licensed by the State Board of Physicians to practice medicine in the State under Title 14 of the Health Occupations Article; or

(ii) A psychologist who is licensed by the State Board of Examiners of Psychologists to practice psychology in the State under Title 18 of the Health Occupations Article;

(2) Prepared on the letterhead or printed prescription form of the physician or psychologist; and

(3) Signed by the physician or psychologist.

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