

party as a result of the levy and sale of his goods under distress. Such an action for damages may be brought before the court before which the original action was brought, regardless of any monetary limitation of the civil jurisdiction of the court. If the action for damages is brought in any other court, it shall only be necessary to file a certified copy of the record in the original court as evidence of the proceedings therein.

**31. Termination of leases; recording; possession of premises.**

(a) The court is authorized, upon the election of the plaintiff in an action of distress, made in writing, to declare the lease terminated and of no further force and effect. Such an election shall be made only where all tenants have been served with a copy of the action of distress and after sale of all goods levied on. The court shall have no power to terminate any lease which runs for a period of greater than fifteen years.

(b) If any tenant was not served with a copy of the action of distress, then the court shall have power to declare the lease terminated if a copy of nisi order of termination is twice returned non est as to the non-summoned defendant.

(c) Whenever an action of distress is filed for rent due under a recorded lease and the court, as in this section provided, shall terminate the lease, the plaintiff shall file among the land records a certified copy of the order of the court terminating the lease.

(d) When the court shall declare a lease terminated under subsection (a) of this section, the court shall have power on application of the plaintiff to issue its order or judgment of restitution of the premises and shall issue its warrant to the officer commanding him forthwith to deliver to the plaintiff, his heirs, personal representatives and assigns, possession thereof in full and ample manner as set forth in Section 4 of this Article in cases of tenants holding over. The costs of this action shall be the same as in the case of a tenant holding over.

**32. Deficiency judgment; hearing; exemptions.**

(a) If the amount received from a sale of goods under distress, after payment of all costs and expenses, is not sufficient to pay the plaintiff's claim, the plaintiff may file a verified petition with the court for a deficiency money judgment. Notice of the petition shall be served on the tenant, giving at least fourteen days' notice of hearing on the petition. After the hearing, the court shall have the power to order a money judgment entered for the deficiency against the defendant regardless of whether such amount exceeds the monetary limit of the civil jurisdiction of the court.

(b) The general exemption laws of the State shall be applicable to the enforcement of any deficiency money judgment given in an action of distress.

(c) A deficiency money judgment under a lease shall be entered only against the person named in the lease as tenant, and who signed the lease as such, or against an assignee who has assumed a covenant in writing to pay rent.

**33. Levy on goods of husband and wife.**

In case of a lease naming either husband or wife as tenant, all goods on the leased premises belonging to either, or both, shall be