

38. *Notice; orders when not received.*

*If the court finds that any notice required under this subtitle to be sent by mail has not been actually received by the person to whom the notice was addressed and that injustice will result therefrom, the court shall order a stay of further proceedings until it is satisfied that such person has had an opportunity to protect his interests.*

39. *Appeal; time; trial; stays.*

(a) *From any final order or judgment in an action of distress, any aggrieved party shall have the right to appeal to the Baltimore City Court or to the Circuit Court for the county, as the case may be. The appeal shall be taken within fourteen days from the date of the order or judgment.*

(b) *On appeal the case shall be tried de novo by the court to which appealed. Upon the application of any party to the action for a prompt hearing of the appeal it shall be set for trial as soon as possible. Any party shall have the right to a jury trial of the appeal upon application therefor in accordance with the rules for such cases adopted by the appellate court.*

(c) *An appeal shall not stay or prevent a subsequent distress for rent falling due after the original petition for distress. However, the court shall have power to order a stay of all further proceedings; including those for subsequent rent, upon filing of an adequate appeal bond by the tenant, the principal amount of which shall be within the discretion of the court.*

(d) *An appeal shall not stay execution of a judgment or order unless an approved appeal bond be filed.*

39A. *Definitions of terms.*

(a) *The following words shall have the meanings herein unless the context clearly requires a different meaning:*

(b) *“Court” shall mean any People’s Court in the counties with civil jurisdiction, any trial magistrate in the counties with civil jurisdiction, and the People’s Court of Baltimore City.*

(c) *“Defendant” shall mean a tenant.*

(d) *“Distress” shall mean an action of distress filed pursuant to the provisions of this subtitle.*

(e) *“Goods” shall mean goods, chattels, grain, crops and produce and shall include cash money found on the leased premises, regardless of where found or located. “Goods” shall not include choses in action or other forms of intangible property, nor shall it include written contracts, securities, bonds, notes, or other instruments for the payment of money.*

(f) *“Officer” shall mean a constable or sheriff as the case may be.*

(g) *“Plaintiff” shall mean a landlord.*

(h) *“Security interest” shall have the meaning set out in Section 1-201 of Article 95B of this Code.*

(i) *In every instance, the singular shall include the plural.*