

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 9-14.1 be and it is hereby added to the Code of Public Local Laws of Baltimore City (1969 Edition, being Article 4 of the Code of Public Local Laws of Maryland), title "Baltimore City," subtitle "Landlord and Tenant," to follow immediately after Section 9-14 thereof, and to read as follows:

9-14.1.

(a) *In any written or oral lease or agreement for rental of a dwelling intended for human habitation, the landlord shall be deemed to covenant and warrant that the dwelling is fit for human habitation. If the dwelling is not fit for human habitation, the tenant, in addition to any remedies which he otherwise has, is entitled to the following remedies: THAT SHALL BE EXERCISED WITHIN THIRTY (30) DAYS OF OCCUPANCY:*

(1) *An action or proceeding for breach of contract or warranty which may include a prayer for rescission of the contract;*

(2) *Rescission of the contract including the return of all deposits and money towards rent. PAID DURING THE PERIOD OF THE BREACH OF THE WARRANTY OF HABITABILITY AND WITHIN THE THIRTY (30) DAYS OF OCCUPANCY PERIOD.*

(b) *"Dwelling," as used in this section, means a structure or that part of a structure which is used for or is intended for use, as a home or residence by one person or by two or more persons maintaining a common household.*

PROVIDED, HOWEVER, THAT NO ACTION OR PROCEEDING FOR BREACH OF THE WARRANTY OF HABITABILITY SHALL BE INSTITUTED BY ANY TENANT UNLESS THE LANDLORD HAS NOTICE OF THE CONDITIONS ON THE PREMISES WHICH CONSTITUTE THE BREACH OF THE WARRANTY OF HABITABILITY.

(B) DEFINITIONS

(1) FOR THE PURPOSE OF THIS SECTION "DWELLING" SHALL MEAN A STRUCTURE OR THAT PART OF A STRUCTURE WHICH IS USED FOR OR IS INTENDED FOR USE, AS A HOME OR RESIDENCE BY ONE PERSON OR BY TWO OR MORE PERSONS MAINTAINING A COMMON HOUSEHOLD.

(2) FOR THE PURPOSE OF THIS SECTION "NOTICE" SHALL MEAN EITHER (A) A VIOLATION NOTICE FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR ANY OTHER MUNICIPAL OR GOVERNMENTAL AGENCY, OR (B) A LETTER SENT BY THE TENANT OR HIS AGENT TO THE LANDLORD BY CERTIFIED MAIL.

(3) FOR THE PURPOSE OF THIS SECTION "FIT FOR HUMAN HABITATION" SHALL MEAN THE PREMISES SHALL NOT HAVE ANY CONDITIONS WHICH ENDANGER THE LIFE, HEALTH AND SAFETY OF THE TENANTS, INCLUDING, BUT NOT LIMITED TO VERMIN OR RODENT INFESTATION, LACK OF SANITATION, LACK OF HEAT, LACK OF RUNNING WATER, OR LACK OF ELECTRICITY.