

*perpetrate or perpetuate such conditions and that such retaliatory actions on the part of landlords be proscribed. SUCH SANCTIONS ARE INTENDED TO PROTECT THE LIFE, HEALTH AND SAFETY OF TENANTS AND ARE NOT TO BE USED TO HAVE PREMISES REDECORATED OR TO HAVE MINOR CODE VIOLATIONS CORRECTED. IT IS ALSO NOT THE INTENTION THAT SUCH SANCTIONS BE USED BY EITHER LANDLORDS OR TENANTS AS A MEANS OF HARASSMENT.*

*(b) Where property situated in the City of Baltimore is leased for the purpose of human habitation, the tenant of such property may assert that there exists upon the leased premises, or upon the property used in common of which the leased premises form a part, a condition or conditions which constitute, or if not promptly corrected, will constitute a fire hazard or serious threat to the life, health or safety of occupants thereof, including but not limited to, a lack of heat or of hot or cold running water (EXCEPT IF THE PROPERTY IS A ONE-FAMILY DWELLING OR A MULTIPLE DWELLING WHERE THE TENANT IS RESPONSIBLE FOR PAYMENT OF THE WATER CHARGE AND WHERE THE LACK OF SUCH WATER IS THE DIRECT RESULT OF THE TENANT'S FAILURE TO PAY THE WATER CHARGE) or of light or of electricity or of adequate sewage disposal facilities or an infestation of rodents (EXCEPT IF THE PROPERTY IS A ONE-FAMILY DWELLING) or of the existence of paint containing lead pigment on surfaces within the dwelling, PROVIDED THAT THE LANDLORD HAS NOTICE OF THE PAINTED SURFACES, AND IF SUCH CONDITION WOULD BE IN VIOLATION OF THE BALTIMORE CITY HOUSING CODE.*

*(c) The assertion described in subsection (b), above, may be made*

*(1) on the initiative of the tenant by his filing in People's Court of Baltimore City a declaration setting forth such assertion and praying for one or more forms of relief as enumerated in subsection (f), below, or*

*(2) by the tenant as a defense in answer to an action of distress for rent or in any complaint proceeding brought by a landlord to recover rent or the possession of leased premises for non-payment of rent (including a proceeding brought under Section 456 hereof).*

*(d) The assertion by the tenant, whether made by complaint or answer, shall be conditioned upon the following:*

*(1) Prior to the commencement of the action by the tenant or by the landlord, the landlord or his agent was notified in writing by Certified Mail (return receipt) of the condition or conditions described in subsection (b), above, or was notified of such condition or conditions by a violation or condemnation notice from an appropriate State or municipal agency, but that the landlord has refused, or having a reasonable opportunity to do so, has failed to remedy the same. For the purposes of this subsection, what period of time shall be deemed to be unreasonable delay is left to the discretion of the court except that a period in excess of thirty (30) days from receipt of the notification by the landlord shall be deemed per se unreasonable EXCEPT THAT THERE SHALL BE A REBUTTABLE PRE-*