

8-324. 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.*

8-325. 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 subject to levy under distress to the same extent as if both were named in the lease as tenants.

8-326. Amendment of petition or other pleading.

A petition for distress, and any other petition or pleading filed in such a case, may be amended at any time upon such terms as the court may order.

8-327. Death of tenant; corporate tenant ceasing to exist; order requiring posting of copy of petition.

(a) *Whenever a tenant under a lease of premises has died, or, if the tenant is a corporation and has ceased to exist, distress may be brought against the tenant named in the lease regardless of death or nonexistence. Notice of an action of distress shall be given by the plaintiff to the personal representative of a deceased defendant or to the officers of a corporation ceasing existence and the plaintiff shall certify to the court that he has given such notice. In such case the plaintiff may proceed with levy and sale as provided in this subtitle.*

(b) *If a tenant shall die and no personal representative shall be appointed by a court having jurisdiction or if the officers of the non-existent corporation cannot be found and service of process on such officers has been returned non est, then upon application of the plaintiff an order may be passed requiring a copy of the petition for distress to be set up at the courthouse door at least one week before the date of sale. Failure of the plaintiff to apply for such an order shall subject him to suit by the personal representative of the deceased tenant, or by the officer or surviving directors of the non-existent corporation for any loss or damage sustained. If the plaintiff makes application for such an order, he shall be under no liability either to the estate of the deceased tenant, or to the surviving trustees or officers of the non-existent corporation.*