

The Chief Judge of the District Court of Maryland has requested that I veto House Bill 993 because the notices, as set forth in the bill, are defective. The Chief Judge has informed me that the Court will administratively implement the objectives of House Bill 993. For the reasons given in the attached copy of the Chief Judge's letter, which is to be considered a part of this message, I believe this measure must be vetoed.

Sincerely,

/s/ MARVIN MANDEL,  
Governor.

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Letter from District Court of Maryland

May 16, 1972.

Mr. John C. Eldridge  
Executive Department  
State of Maryland  
Annapolis, Maryland 21404

Dear Mr. Eldridge:

House Bill 993, prepared by the Landlord Tenant Commission, had a worthy objective, which was to provide a means of communicating with the tenant in simple language. However, Section 39S—*Notice to Come to Court* contemplates a legally insufficient form in that, contrary to the stated language (line 29) it is not a complaint.

The Put Out notice, provided for in the same bill, would be an exercise in futility, because the landlord—tenant law, both present and proposed, (House Bill 439), provides that:

- (1) appeals are to be filed within two days after judgment is rendered
- (2) applications for warrant of ejectment are received by the court two days after judgment is rendered, at which time, if the warrant is issued, the "put out date" is established.

Thus, the tenant would not receive this notice until after the time for an appeal had passed, and the date of "put out" would remain uncertain.

We have discussed this with Judge Silver, Chairman of the Landlord-Tenant Commission, with Minor Carter who developed this bill, and with Professor McElhaney, advisor to the Committee, and all agree that it will be sufficient if we provide a simple statement to the tenant of his rights and of possible court action to be included in the original mailing. This we will do.

For this reason, I recommend that the Governor veto this bill.

Sincerely,

/s/ ROBERT F. SWEENEY,  
Chief Judge.