

## CHAPTER 612

(House Bill 1175)

AN ACT to add new Section 8-213.1 to Article 21 of the Annotated Code of Maryland (1972 Interim Supplement), "Real Property," title "Landlord and Tenant," subtitle "Miscellaneous Rules," to follow immediately after Section 8-213 thereof, to provide that no landlord shall evict a tenant of any residential property in Montgomery County for certain reasons; that certain evictions shall be called "retaliatory evictions"; that, if judgment in an eviction proceeding is in favor of the tenant because of such a defense the court costs and attorney fees may be assessed against the landlord; and that nothing in this section shall be deemed to restrict the authority of Montgomery County to legislate in the field of landlord-tenant affairs.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 8-213.1 be and it is hereby added to Article 21 of the Annotated Code of Maryland (1972 Interim Supplement), "Real Property," title "Landlord and Tenant," subtitle "Miscellaneous Rules," to follow immediately after Section 8-213 thereof, and to read as follows:

8-213.1

(A) NO LANDLORD SHALL EVICT A TENANT OF ANY RESIDENTIAL PROPERTY IN MONTGOMERY COUNTY FOR ANY OF THE FOLLOWING REASONS:

(1) BECAUSE THE TENANT HAS FILED A COMPLAINT, OR COMPLAINTS, AGAINST THE LANDLORD WITH ANY PUBLIC AGENCY OR AGENCIES; OR

(2) BECAUSE THE TENANT HAS FILED A LAW SUIT, OR LAW SUITS, AGAINST THE LANDLORD; OR

(3) BECAUSE THE TENANT IS A MEMBER OF ANY TENANTS' ORGANIZATION.

(B) EVICTIONS DESCRIBED IN SUBSECTION (A) OF THIS SECTION SHALL BE CALLED "RETALIATORY EVICTIONS."

(C) IF IN ANY EVICTION PROCEEDING THE JUDGMENT BE IN FAVOR OF THE TENANT FOR ANY OF THE AFOREMENTIONED DEFENSES, THE COURT MAY ENTER JUDGMENT FOR REASONABLE ATTORNEY FEES AND COURT COSTS AGAINST THE LANDLORD.

(D) NOTHING CONTAINED IN THIS SECTION SHALL BE DEEMED TO RESTRICT THE AUTHORITY OF MONTGOMERY COUNTY TO LEGISLATE IN THE AREA OF LANDLORD-TENANT AFFAIRS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 21, 1973.

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