

COUNTY LOCAL LAWS

93A-1. LEGISLATIVE FINDINGS.

THE COUNTY COUNCIL FOR MONTGOMERY COUNTY HEREBY FINDS THAT THERE IS OFTEN UNEQUAL BARGAINING POWER BETWEEN LANDLORDS AND TENANTS; THAT THE COMMON LAW PRINCIPLES PURSUANT TO WHICH LEASES ARE INTERPRETED AS GRANTS OF RIGHT OF POSSESSION RATHER THAN MUTUAL AND DEPENDENT COVENANTS EVOLVED IN AN AGRICULTURAL SETTING AND ARE ILL-SUITED TO THE MODERN RESIDENTIAL SETTING OF THIS URBAN COUNTY; THAT IN ORDER TO FACILITATE FAIR AND EQUITABLE ARRANGEMENTS, FOSTER THE DEVELOPMENT OF HOUSING WHICH WILL MEET THE MINIMUM STANDARDS OF THE PRESENT DAY, AND PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE PEOPLE, IT IS NECESSARY AND APPROPRIATE THAT THE COUNTY PROVIDE A COMMISSION AND OFFICE TO DETERMINE CERTAIN MINIMUM RIGHTS AND REMEDIES, OBLIGATIONS AND PROHIBITIONS, FOR LANDLORDS AND TENANTS OF CERTAIN KINDS OF RESIDENTIAL PROPERTY.

93A-2. PURPOSES AND POLICIES.

(A) THIS CHAPTER SHALL BE LIBERALLY CONSTRUED AND APPLIED TO PROMOTE ITS UNDERLYING PURPOSES AND POLICIES.

(B) THE UNDERLYING PURPOSES AND POLICIES OF THIS CHAPTER ARE:

(I) TO SIMPLIFY AND CLARIFY THE LAW GOVERNING THE RENTAL OF DWELLING UNITS;

(II) TO ENCOURAGE LANDLORDS AND TENANTS TO MAINTAIN AND IMPROVE THE QUALITY OF HOUSING IN THIS COUNTY;

(III) TO ASSURE FAIR AND EQUITABLE RELATIONS BETWEEN LANDLORDS AND TENANTS; AND

(IV) TO REVISE AND MODERNIZE THE LAW OF LANDLORD AND TENANT TO SERVE MORE REALISTICALLY THE NEEDS OF AN URBAN SOCIETY DEVELOPING WITHIN MONTGOMERY COUNTY, MARYLAND.

93A-3. APPLICABILITY OF CHAPTER.

SUBJECT TO ANY PUBLIC GENERAL STATE LAWS TO THE CONTRARY, INCLUDING, BUT NOT LIMITED TO ARTICLE 53 OF THE ANNOTATED CODE OF MARYLAND, THIS CHAPTER SHALL REGULATE AND DETERMINE LEGAL RIGHTS, REMEDIES AND