

(3) TERMINATING OCCUPANCY BEFORE THE END OF THE TERM, FOR WHICH THE BREACHING PARTY IS LIABLE IN DAMAGES TO THE AGGRIEVED PARTY, THERE SHALL BE A DUTY ON THE AGGRIEVED PARTY TO TAKE REASONABLE MEASURES TO MITIGATE DAMAGES. THIS DUTY IS NOT AN OBLIGATION TO SHOW, LEASE OR RENT THE VACATED DWELLING UNIT IN PREFERENCE TO OTHER AVAILABLE UNITS.

(B) WHENEVER A TENANT HAS WRONGLY FAILED OR REFUSED TO TAKE POSSESSION OR HAS VACATED THE DWELLING UNIT BEFORE THE END OF HIS TERM, THE LANDLORD MAY SUBLET THE DWELLING UNIT WITHOUT PRIOR NOTICE TO THE TENANT IN DEFAULT. THE TENANT IN DEFAULT SHALL BE SECONDARILY LIABLE FOR RENT FOR THE TERM OF HIS ORIGINAL AGREEMENT IN ADDITION TO HIS LIABILITY FOR CONSEQUENTIAL DAMAGES RESULTING FROM HIS BREACH, PROVIDED THAT THE LANDLORD GIVES HIM PROMPT NOTICE OF ANY DEFAULT BY THE SUBLESSEE.

(C) NO PROVISION HEREIN MAY BE WAIVED IN ANY LEASE, WRITTEN OR ORAL.

(D) THIS SECTION SHALL APPLY ONLY TO RESIDENTIAL LEASES OR RENTALS.

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

Approved May 21, 1973.

CHAPTER 456

(Senate Bill 934)

AN ACT to repeal and re-enact, with amendments, Sections 111 and 113 of Article 41 of the Annotated Code of Maryland (1971 Replacement Volume), title "Governor-Executive and Administrative Departments," subtitle "1. The Executive Department," subheading "Board of Parole"; to repeal and re-enact, with amendments, Sections 121, 122(a), 124(b), 125, 127A and 131A of said Article, title and subtitle of the said Code (1971 Replacement Volume and 1972 Supplement), subheading "Division of Parole and Probation," to correct certain language and remove obsolete references contained within these sections.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 111 and 113 of Article 41 of the Annotated Code of Maryland (1971 Replacement Volume), title "Governor-Executive and Administrative Departments," subtitle "1. The Executive Department," subheading "Board of Parole"; and Sections 121, 122(a), 124(b), 125, 127A and 131A of said Article, title and subtitle of the said Code (1971 Replacement Volume and 1972 Supplement), subheading "Division of Parole and Probation," be and they are hereby repealed and re-enacted, with amendments, to read as follows: