

COUNTY LOCAL LAWS

(b) For the purposes of this Chapter, the lawful base rent for all dwelling units covered by this Chapter shall be the rent legally charged, received, and paid for that dwelling unit for the month of February, 1973, or, if the dwelling unit was not rented for that month, the base rent shall be the amount of rent last legally charged, received, and paid for that dwelling unit.

(c) For the purposes of this Chapter, "rent" means the amount charged for the right to possession and use of a dwelling unit, including any required recurrent charge therefor and any required recurrent charge for the use of services or property in connection therewith.

(d) For the purposes of this article only, "dwelling unit" shall include one-family dwelling units, as defined by Section 111-2 of Chapter 111 of the Montgomery County Code 1965, as amended (Section 59-1 of Chapter 59 of the Montgomery County Code 1972), which are owned by landlords who own two or more such rental dwelling units regardless of their location.

(e) All new rental dwelling units coming onto the market after the effective date of this Act shall not be subject to the provisions of this Article. For the purposes of this subsection, new rental dwelling units means multi-family rental facilities for which a Certificate of Occupancy has not been issued as of the effective date of this Act, and one-family dwelling units which have not been rented since August, 1971, or which have not been constructed prior to the effective date of this Act.

(f) It shall be unlawful and a violation of this Chapter for any landlord to demand or receive any rent for any dwelling unit covered by this Chapter in excess of the lawful base rent established or fixed for such dwelling unit or as adjusted by operation of this Article or by any rule, regulation, decision, or order of the Executive Director or Commission on Landlord-Tenant Affairs as provided in this Article. Any landlord who demands or receives such rent shall be in violation of this Chapter and deemed guilty of a misdemeanor, and, upon conviction, shall be subject to a fine not exceeding One Thousand Dollars (\$1,000.00) and costs. Each such demand or receipt of rent for separate and different periods of time shall constitute separate offenses hereunder. Fines imposed hereunder may be collected or enforced through civil attachment proceedings. The provisions of this subsection shall not preclude any adjustment in rent as the result of any contractual provision entered into prior to the effective date of this Act.