

AN ACT concerning

Landlord and Tenant - Holdover Tenant

FOR the purpose of repealing provisions entitling a landlord to recover certain damages from a holdover tenant or someone holding under him in a summary ejectment proceeding; repealing provisions limiting the maximum amount of damages recoverable and defining the recoverable damages; repealing provisions requiring a landlord to give holdover tenant written notice of damage liability; providing that a landlord may recover all damages from a holdover tenant or someone holding under him; setting a minimum amount of recovery; providing that suit for damage may be brought separately or with action to evict and remove tenant from the leased premises; and providing that the damage remedy is not in limitation of any other remedies the landlord may have against a holdover tenant.

BY repealing

Article - Real Property
Section 8-402(a)
Annotated Code of Maryland
(1974 Volume and 1977 Supplement)

BY adding to

Article - Real Property
Section 8-402(a)
Annotated Code of Maryland
(1974 Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 8-402(a) of Article - Real Property, of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Real Property

8-402.

(A) (1) A TENANT UNDER ANY LEASE OR SOMEONE HOLDING UNDER HIM, WHO SHALL UNLAWFULLY HOLD OVER BEYOND THE TERMINATION OF THE LEASE, SHALL BE LIABLE TO THE LANDLORD FOR THE ACTUAL DAMAGES CAUSED BY THE HOLDING OVER.

(2) THE DAMAGES AWARDED TO A LANDLORD AGAINST THE TENANT OR SOMEONE HOLDING UNDER HIM, MAY NOT BE LESS THAN THE APPORTIONED RENT FOR THE PERIOD OF HOLDOVER AT THE RATE UNDER THE LEASE.