

APPEAL; (3) PAYS ALL RENT IN ARREARS, ALL COURT COSTS IN THE CASE; AND (4) PAYS ALL LOSSES OR DAMAGES WHICH THE LANDLORD MAY SUFFER BY REASON OF THE TENANT'S HOLDING OVER, THE TENANT OR PERSON IN POSSESSION OF THE PREMISES MAY RETAIN POSSESSION UNTIL THE DETERMINATION OF THE APPEAL. UPON APPLICATION OF EITHER PARTY, THE COURT SHALL SET A DAY FOR THE HEARING OF THE APPEAL NOT LESS THAN FIVE NOR MORE THAN 15 DAYS AFTER THE APPLICATION, AND NOTICE OF THE ORDER FOR A HEARING SHALL BE SERVED ON THE OTHER PARTY OR HIS COUNSEL AT LEAST FIVE DAYS BEFORE THE HEARING. IF THE JUDGMENT OF THE DISTRICT COURT IS IN FAVOR OF THE LANDLORD, A WARRANT SHALL BE ISSUED BY THE COURT WHICH HEARS THE APPEAL TO THE SHERIFF, WHO SHALL EXECUTE THE WARRANT.

~~(C) IF THE TENANT OR PERSON IN POSSESSION ALLEGES THAT THE TITLE TO THE LEASED PROPERTY IS IN DISPUTE AND CLAIMED BY A PERSON WHOM HE SHALL NAME, BY VIRTUE OF A RIGHT OR TITLE ACCRUING OR HAPPENING SINCE THE COMMENCEMENT OF THE LEASE, BY DESCENT OR DEED FROM OR BY DEVISE UNDER THE LAST WILL OR TESTAMENT OF THE LANDLORD, AND IF THAT PERSON APPEARS, OR UPON A SUMMONS ISSUED BY THE DISTRICT COURT AND, MADE RETURNABLE WITHIN SIX DAYS NEXT FOLLOWING, APPEARS BEFORE THE COURT AND, UNDER OATH, DECLARES THAT HE BELIEVES THAT HE IS ENTITLED TO THE LEASED PROPERTY AND, WITH TWO SUFFICIENT SECURITIES, ENTERS INTO BOND TO THE PLAINTIFF, IN A SUM THE COURT CONSIDERS PROPER AND REASONABLE SECURITY TO THE PLAINTIFF TO PROSECUTE HIS CLAIM AT THE NEXT TERM OF THE CIRCUIT COURT FOR THE COUNTY, OR THE NEXT TERM OF THE BALTIMORE CITY COURT, AS THE CASE MAY BE, THEN THE DISTRICT COURT MAY NOT GIVE JUDGMENT FOR RESTITUTION AND COSTS. IF THE CLAIM IS NOT PROSECUTED, THE DISTRICT COURT SHALL PROCEED TO GIVE JUDGMENT FOR RESTITUTION AND COSTS AND ISSUE ITS WARRANT WITHIN TEN DAYS AFTER THE END OF THE TERM OF COURT.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1978.

Approved May 16, 1978.

CHAPTER 479

(Senate Bill 582)

AN ACT concerning

School Construction - Permit Fees

FOR the purpose of prohibiting the imposition of fees for certain permits issued in connection with certain state and local regulations and codes for school construction.

BY repealing and reenacting, with amendments,