(Senate Bill 302)

AN ACT concerning

Ground Rent - Ejectment

FOR the purpose of clarifying that ground rent ejectment procedures are not summary ejectments within District Court jurisdiction, but are within the jurisdiction of the circuit courts.

BY repealing and reenacting, with amendments,

Article - Real Property
Section 8-402(c)
Annotated Code of Maryland
(1974 Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Real Property

8-402.

(c) (1) In all cases between landlord and tenant, where one-half year's GROUND rent shall be in arrear and the landlord has the lawful right to reenter for the nonpayment thereof, the landlord may, without any formal demand or reentry, serve a copy of a declaration in ejectment for the recovery of the property; if the declaration cannot be legally served, or no tenant be in actual possession of the property, then he shall affix it upon the door of any demised messuage, or if the action of ejectment shall not be for the recovery of any messuage, then upon some notorious place of the property described in the declaration in ejectment; such affixing shall be deemed legal service thereof, which service or affixing of such declaration in ejectment shall stand in the place and stead of a demand and reentry.

(2) If the CIRCUIT court AS DEFINED IN SECTION 1-101(B) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE shall enter a verdict for the landlord, he shall have judgment and execution in the same manner as if the GROUND rent in arrear had been legally demanded and a reentry made.

(3) If the tenant or other person claiming or deriving under the lease, shall permit a judgment to be rendered against him, and execution to be executed thereon, without paying the GROUND rent and arrears, together with full costs, and without proceeding for relief in equity within six calendar months after the execution, the tenant and all other persons claiming and deriving under the said