

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 1997.

Approved May 23, 1996.

CHAPTER 668

(House Bill 1421)

AN ACT concerning

Landlord and Tenant – Restitution *of Premises – Breach of Lease*

FOR the purpose of ~~altering a provision of law so as to provide that an administrative law judge may only stay the execution of a warrant of restitution in the event of extreme weather conditions if the property is residential property; requiring the court to order a summons to be served on a tenant, assignee, or subtenant on the property to be repossessed; providing certain procedures for serving a summons on a tenant in certain proceedings for restitution of certain leased premises if the tenant, assignee, or subtenant or person in actual possession cannot be located; and generally relating to restitution of the possession of leased premises by to the landlord of the premises for a breach of the lease.~~

BY repealing and reenacting, with amendments,

Article – Real Property

Section ~~8-401(d) and 8-402.1(a)~~

Annotated Code of Maryland

(1996 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Real Property

~~8-401.~~

~~(d) (1) Subject to the provisions of paragraph (2) of this subsection, if judgment is given in favor of the landlord, and the tenant fails to comply with the requirements of the order within two days, the Court shall, at any time after the expiration of the two days, issue its warrant, directed to any official of the county entitled to serve process, ordering him to cause the landlord to have again and repossess the property by putting him (or his duly qualified agent or attorney for his benefit) in possession thereof, and for that purpose to remove from the property, by force if necessary, all the furniture, implements, tools, goods, effects or other chattels of every description whatsoever belonging to the tenant, or to any person claiming or holding by or under said tenant. If the landlord does not order a warrant of restitution within sixty days from the date of judgment or from the expiration date of any stay of execution, whichever shall be the later, the judgment for possession shall be stricken.~~