

~~(2) (i) The administrative judge of any district may stay the execution of a warrant of restitution OF A RESIDENTIAL PROPERTY, from day to day, in the event of extreme weather conditions:~~

~~(ii) When a stay has been granted under this paragraph, the execution of the warrant of restitution for which the stay has been granted shall be given priority when the extreme weather conditions cease.~~

8-402.1.

(a) (1) When a lease provides that the landlord may repossess the premises if the tenant breaches the lease, and the landlord has given the tenant 1 month's written notice that the tenant is in violation of the lease and the landlord desires to repossess the premises, and if the tenant or person in actual possession refuses to comply, the landlord may make complaint in writing to the District Court of the county where the premises is located. †The court shall summons immediately the tenant or person in possession to appear before the court on a day stated in the summons to show cause, if any, why restitution of the possession of the leased premises should not be made to the landlord.‡

~~(2) THE COURT SHALL ISSUE A SUMMONS DIRECTED TO ANY CONSTABLE OR SHERIFF OF THE COUNTY ENTITLED TO SERVE PROCESS, ORDERING THE CONSTABLE OR SHERIFF TO NOTIFY THE TENANT, ASSIGNEE, OR SUBTENANT TO APPEAR ON A DAY STATED IN THE SUMMONS BEFORE THE COURT TO SHOW CAUSE WHY RESTITUTION OF THE POSSESSION OF THE LEASED PREMISES SHOULD NOT BE MADE TO THE LANDLORD. THE CONSTABLE OR SHERIFF SHALL SERVE THE SUMMONS ON THE TENANT, ASSIGNEE, OR SUBTENANT ON THE PROPERTY, OR ON THE KNOWN OR AUTHORIZED AGENT OF THE TENANT, ASSIGNEE, OR SUBTENANT. IF, FOR ANY REASON THOSE PERSONS CANNOT BE FOUND, THE CONSTABLE OR SHERIFF SHALL AFFIX AN ATTESTED COPY OF THE SUMMONS CONSPICUOUSLY ON THE PROPERTY. AFTER NOTICE TO THE TENANT, ASSIGNEE, OR SUBTENANT BY FIRST-CLASS MAIL, THE AFFIXING OF THE SUMMONS ON THE PROPERTY SHALL BE CONCLUSIVELY PRESUMED TO BE A SUFFICIENT SERVICE TO SUPPORT RESTITUTION.~~

(2) IF, FOR ANY REASON, THE TENANT OR PERSON IN ACTUAL POSSESSION CANNOT BE FOUND, THE CONSTABLE OR SHERIFF SHALL AFFIX AN ATTESTED COPY OF THE SUMMONS CONSPICUOUSLY ON THE PROPERTY, WHICH AFTER NOTICE IS SENT TO THE TENANT OR PERSON IN POSSESSION BY FIRST-CLASS MAIL, THE AFFIXING OF THE SUMMONS ON THE PROPERTY SHALL BE CONCLUSIVELY PRESUMED TO BE A SUFFICIENT SERVICE TO SUPPORT RESTITUTION.

(3) If either of the parties fails to appear before the court on the day stated in the summons, the court may continue the case for not less than six nor more than 10 days and notify the parties of the continuance.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

Approved May 23, 1996.