

week-to-week tenant before [his] THE TENANT'S holding over, and a periodic month-to-month tenant in all other cases.

8-402.1.

(b) If the court determines that the tenant breached the terms of the lease and that the breach was substantial and warrants an eviction, the court shall give judgment for the restitution of the possession of the premises and issue its warrant to the sheriff or a constable commanding [him] THE TENANT to deliver possession to the landlord in as full and ample manner as the landlord was possessed of the same at the time when the lease was entered into. The court shall give judgment for costs against the tenant or person in possession. Either party may appeal to the circuit court for the county, within ten days from entry of the judgment. If the tenant (1) files with the District Court an affidavit that the appeal is not taken for delay; (2) files sufficient bond with one or more securities conditioned upon diligent prosecution of the 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] THAT PARTY'S 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.

8-403.

If the court in any case brought pursuant to § 8-401 or § 8-402 orders an adjournment of the trial for a longer period than provided for in the section under which the case has been instituted, the tenant or anyone holding under [him] THE TENANT shall pay all rents due and as they come due into the court exercising jurisdiction in the case. However, the court may order the tenant to pay rents due and as come due into an administrative agency of any county which is empowered by local law to hold rents in escrow pending investigation and disposition of complaints by tenants; the court also may refer that case to the administrative agency for investigation and report to the court. A tenant shall pay into the court the amount of rent due on or before the date to which the trial is adjourned or within seven days after adjournment if the trial is adjourned more than seven days, or to the administrative agency within seven days after the court has ordered the rent paid into an administrative agency. If the tenant fails to pay rent due within this period, or as it comes due, the court, on motion of the landlord, shall give judgment in favor of the landlord and issue a warrant for possession in accordance with the provisions of § 8-401(c) and (d).

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved April 27, 1999.