

Article - Real Property

Section 8-203.1

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)

~~BY repealing and reenacting, with amendments,~~~~Article - Courts and Judicial Proceedings~~~~Section 4-401~~~~Annotated Code of Maryland~~~~(1998 Replacement Volume)~~

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

Article - Real Property

8-118.

(a) In an action under § 8-401, § 8-402, or § 8-402.1 of this article in which a party [prays] DEMANDS a jury trial, the District Court IMMEDIATELY shall enter an order directing the tenant or anyone holding under the tenant to pay all rents as they come due during the pendency of the action, as prescribed in subsection (b) of this section. THE ORDER SHALL REQUIRE THE RENT TO BE PAID AS AND WHEN DUE UNDER THE LEASE STARTING WITH THE NEXT RENT DUE DATE AFTER THE ACTION WAS FILED.

(b) The District Court shall order that the rents be paid:

(1) [into] INTO the registry of an escrow account of:

[(1)] (I) The clerk of the circuit court; or

[(2)] (II) If directed by the District Court, an administrative agency of the county which is empowered by local law to hold rents in escrow pending investigation and disposition of complaints by tenants; OR

(2) TO THE LANDLORD IF BOTH THE TENANT AND LANDLORD AGREE OR AT THE DISCRETION OF THE DISTRICT COURT.

(c) (1) In an action under § 8-401, § 8-402, or § 8-402.1 of this article, if the tenant or anyone holding under the tenant fails to pay rent as it comes due pursuant to the terms of the order, the circuit court, on motion of the landlord and certification of the clerk, THE LANDLORD, or agency of the status of the DELINQUENT account, shall conduct a hearing within 30 days.

(2) [At the hearing the landlord must show that the escrow order is valid and that the tenant has failed to comply with the order.] THE DISTRICT COURT'S ESCROW ORDER AND THE CLERK'S CERTIFICATION ARE PRESUMED TO BE VALID.