

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 27, 1999.

CHAPTER 675

(House Bill 971)

AN ACT concerning

Real Property - Landlord and Tenant - Back Rent

FOR the purpose of limiting the amount of back rent a certain person may recover in a suit, action, or proceeding for back rent of certain leased property; ~~prohibiting the recovery of attorney's fees in a certain claim for back rent of certain leased property unless expressly provided in a lease or by a court order~~; providing for the application of this Act; and generally relating to a suit, action, or proceeding for back rent of certain leased property.

BY adding to

Article - Real Property

Section 8-111.1

Annotated Code of Maryland

(1996 Replacement Volume and 1998 Supplement)

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

Article - Real Property

8-111.1.

(A) THIS SECTION APPLIES TO ALL RESIDENTIAL LEASES OR SUBLEASES IN EFFECT ON OR AFTER OCTOBER 1, 1999, WHICH HAVE AN INITIAL TERM OF 99 YEARS AND WHICH CREATE A LEASEHOLD ESTATE, OR SUBLEASEHOLD ESTATE, SUBJECT TO THE PAYMENT OF AN ANNUAL GROUND RENT.

(B) IN ANY SUIT, ACTION, OR PROCEEDING BY A LANDLORD, OR THE TRANSFEREE OF THE REVERSION IN LEASED PROPERTY, TO RECOVER BACK RENT, THE LANDLORD, OR THE TRANSFEREE OF THE REVERSION IN LEASED PROPERTY:

(1) IS ENTITLED TO DEMAND OR RECOVER NOT MORE THAN 3 YEARS BACK RENT, AND

(2) UNLESS EXPRESSLY PROVIDED IN THE LEASE OR ORDERED BY A COURT, IS NOT ENTITLED TO RECOVER ATTORNEYS FEES FROM THE TENANT OR ASSIGNEE OF A LEASE.