

IN ACCORDANCE WITH FEDERAL REGULATIONS AND THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY OF THE HOUSING, IF THE OCCUPANT:

(1) IS LISTED AS A HOUSEHOLD MEMBER ON THE DECEASED TENANT'S CURRENT LEASING, RECERTIFICATION, AND RELATED DOCUMENTS; AND

(2) QUALIFIES FOR CONTINUED OCCUPANCY, BASED ON THE ELIGIBILITY REQUIREMENTS SET FORTH IN THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY OF THE HOUSING AND FEDERAL REGULATIONS.

(C) IF THE SURVIVING SPOUSE OR OTHER MEMBER OF THE DECEASED TENANT'S IMMEDIATE FAMILY WHO IS AN OCCUPANT OF THE PREMISES AT THE TIME OF THE TENANT'S DEATH DOES NOT SATISFY THE CONDITIONS IN SUBSECTION (B)(1) AND (2) OF THIS SECTION, THE HOUSING AUTHORITY OF BALTIMORE CITY MAY INITIATE LEGAL PROCEEDINGS TO EVICT THE OCCUPANT NO EARLIER THAN 10 DAYS FOLLOWING THE DATE OF THE TENANT'S DEATH.

(D) If a tenant shall die, the landlord shall have the right to summary ejection for nonpayment of rent by making the personal representative of the deceased tenant the party defendant.

(E) If a tenant shall die and no letter shall be issued on his estate to a personal representative, then the landlord after he shall have filed a statement under oath setting forth these facts shall have the right to proceed in summary ejection for nonpayment of rent by naming the estate of the deceased tenant as the defendant. In such case the summons shall be served upon the occupant of the premises; and if the premises be unoccupied, then the summons shall be served upon one of the next of kin of the deceased tenant, if known. If there be no occupant at the premises or known next of kin available for service then the summons shall be affixed to the premises.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.

May 17, 2007

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis, MD 21401