

HOUSE BILL 709

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5lr0715
CF 5lr1579

By: **Delegates Wilkins, Allen, Charkoudian, Fair, Feldmark, Foley, D. Jones, J. Long, Martinez, Mireku–North, Palakovich Carr, Ruff, Ruth, Smith, Stewart, Terrasa, and Vogel**

Introduced and read first time: January 24, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Residential Leases and Holdover Tenancies – Local**
3 **Good Cause Termination**
4 **(Good Cause Eviction)**

5 FOR the purpose of authorizing a county to adopt, by local law or ordinance, provisions
6 prohibiting certain landlords of residential property from failing to renew a lease
7 during the lease period or from terminating a holdover tenancy without good cause;
8 establishing certain requirements and prohibitions for a local law or ordinance
9 adopted in accordance with this Act; requiring, in a county that has adopted a local
10 law or ordinance in accordance with this Act, that a landlord provide certain
11 information with a lease related to whether the landlord is subject to the local law
12 or ordinance; requiring the Office of Tenant and Landlord Affairs in the Department
13 of Housing and Community Development to develop certain forms for a landlord to
14 provide to a tenant; requiring, in a county that has adopted a local law or ordinance
15 in accordance with this Act, that a landlord provide certain information to a tenant
16 and in a certain court pleading relating to whether the landlord is required to
17 demonstrate good cause when seeking relief in accordance with a certain provision
18 of law; and generally relating to residential leases and holdover tenancies.

19 BY repealing and reenacting, with amendments,
20 Article – Real Property
21 Section 8–208(c) and 8–402(c)(2)
22 Annotated Code of Maryland
23 (2023 Replacement Volume and 2024 Supplement)

24 BY repealing and reenacting, without amendments,
25 Article – Real Property
26 Section 8–402(c)(1) and (d)
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2023 Replacement Volume and 2024 Supplement)

BY adding to

Article – Real Property

Section 8–402(e) and 8–402.3

Annotated Code of Maryland

(2023 Replacement Volume and 2024 Supplement)

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

Article – Real Property

8–208.

(c) **(1) IN THIS SUBSECTION, “OFFICE” MEANS THE OFFICE OF TENANT
AND LANDLORD AFFAIRS IN THE DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT.**

(2) A lease shall include:

[(1)] (I) A statement that the premises will be made available in a
condition permitting habitation, with reasonable safety, if that is the agreement, or if that
is not the agreement, a statement of the agreement concerning the condition of the
premises;

[(2)] (II) The landlord’s and the tenant’s specific obligations as to heat,
gas, electricity, water, and repair of the premises;

[(3)] (III) A receipt for the security deposit as specified in § 8–203.1 of this
subtitle; and

[(4)] (IV) A copy of the most current version of the Maryland Tenants’ Bill
of Rights published by the Office [of Tenant and Landlord Affairs in the Department of
Housing and Community Development].

**(3) (I) THIS PARAGRAPH APPLIES ONLY IN A COUNTY THAT HAS
ADOPTED A LOCAL LAW OR ORDINANCE IN ACCORDANCE WITH § 8–402.3 OF THIS
TITLE.**

**(II) A LEASE OR LEASE RENEWAL SHALL INCLUDE NOTICE
STATING WHETHER THE LANDLORD IS SUBJECT TO THE LOCAL GOOD CAUSE
STATUTE OR ORDINANCE OF THE COUNTY IN WHICH A RESIDENTIAL RENTAL UNIT IS
LOCATED.**

(III) A LANDLORD STATING IN A NOTICE UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH THAT THE LOCAL GOOD CAUSE PROVISIONS OF THE COUNTY DO NOT APPLY TO THE LANDLORD SHALL PROVIDE THE TENANT WITH THE FOLLOWING INFORMATION ON A FORM PRESCRIBED BY THE OFFICE:

1. THE FULL LEGAL NAME OF EACH INDIVIDUAL AND THE BUSINESS NAME OF EACH ENTITY WITH DIRECT OR INDIRECT OWNERSHIP OR MEMBERSHIP INTEREST IN THE RESIDENTIAL RENTAL UNIT;

2. THE NUMBER OF RESIDENTIAL RENTAL UNITS IN THE STATE OWNED BY EACH INDIVIDUAL OR ENTITY IDENTIFIED UNDER ITEM 1 OF THIS SUBPARAGRAPH, INCLUDING THE ADDRESS OF EACH RESIDENTIAL RENTAL UNIT IDENTIFIED; AND

3. ANY OTHER INFORMATION REQUIRED BY THE OFFICE.

(IV) AN INDIVIDUAL OR ENTITY HAS AN INTEREST IN A RESIDENTIAL RENTAL UNIT UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IF THE INDIVIDUAL OR ENTITY HAS A DIRECT OR INDIRECT OWNERSHIP OR MEMBERSHIP INTEREST IN ANY ENTITY THAT HAS A DIRECT OR INDIRECT OWNERSHIP OR MEMBERSHIP INTEREST IN THE RENTAL UNIT.

(V) IF A LANDLORD BECOMES SUBJECT TO A LOCAL GOOD CAUSE LAW OR ORDINANCE, THE LANDLORD SHALL PROVIDE TIMELY WRITTEN NOTICE TO ALL TENANTS OF THE LANDLORD IN THE COUNTY IN WHICH THE GOOD CAUSE REQUIREMENTS APPLY, INCLUDING ANY TENANT HOLDING OVER UNDER § 8-402 OF THIS TITLE.

(VI) 1. THE OFFICE SHALL DEVELOP AND MAKE PUBLICLY AVAILABLE A DISCLOSURE FORM FOR USE BY A LANDLORD UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH.

2. THE OFFICE MAY ADOPT REGULATIONS TO CARRY OUT THIS PARAGRAPH.

8-402.

(c) (1) This subsection applies to all cases of tenancies at the expiration of a stated term, tenancies from year to year, tenancies from month to month, and tenancies from week to week.

(2) Except as provided in paragraphs (3) and (4) of this subsection, AND SUBJECT TO ANY LOCAL REQUIREMENT ADOPTED IN ACCORDANCE WITH § 8-402.3

1 **OF THIS SUBTITLE**, a landlord shall provide written notice of the intent to terminate a
2 tenancy:

3 (i) If the parties have a written lease for a stated term in excess of
4 1 week or a tenancy from month to month, 60 days before the expiration of the tenancy;

5 (ii) In the case of tenancies from year to year, including tobacco farm
6 tenancies from year to year but excluding all other farm tenancies from year to year, 90
7 days before the expiration of the current year of the tenancy;

8 (iii) In the case of tenancies from year to year for all other farm
9 tenancies, 180 days before the expiration of the current year of the tenancy; and

10 (iv) In the case of tenancies from week to week:

11 1. If the parties have a written lease, 7 days before the
12 expiration of the tenancy; or

13 2. If the parties do not have a written lease, 21 days before
14 the expiration of the tenancy.

15 (d) Unless stated otherwise in the written lease and initialed by the tenant, when
16 a landlord consents to a holdover tenant remaining on the premises, the holdover tenant
17 becomes a periodic week-to-week tenant if the tenant was a week-to-week tenant before
18 the tenant's holding over, and a periodic month-to-month tenant in all other cases.

19 **(E) (1) IN THIS SUBSECTION, "OFFICE" MEANS THE OFFICE OF TENANT**
20 **AND LANDLORD AFFAIRS IN THE DEPARTMENT OF HOUSING AND COMMUNITY**
21 **DEVELOPMENT.**

22 **(2) THIS SUBSECTION APPLIES ONLY IN A COUNTY THAT HAS**
23 **ADOPTED A LOCAL LAW OR ORDINANCE IN ACCORDANCE WITH § 8-402.3 OF THIS**
24 **SUBTITLE.**

25 **(3) (I) PRIOR TO, OR CONTEMPORANEOUSLY WITH, NOTICE**
26 **REQUIRED UNDER SUBSECTION (C) OF THIS SECTION, A LANDLORD SHALL USE THE**
27 **FORM DEVELOPED BY THE OFFICE TO PROVIDE WRITTEN NOTICE BY FIRST-CLASS**
28 **MAIL WITH A CERTIFICATE OF MAILING TO A TENANT STATING:**

29 1. **THE GOOD CAUSE FOR THE NONRENEWAL OF THE**
30 **LEASE OR THE TERMINATION OF THE HOLDOVER TENANCY; OR**

31 2. **THAT THE LANDLORD IS NOT SUBJECT TO THE LOCAL**
32 **GOOD CAUSE REQUIREMENTS ESTABLISHED IN ACCORDANCE WITH § 8-402.3 OF**
33 **THIS SUBTITLE.**

(II) THE OFFICE SHALL DEVELOP AND MAKE PUBLICLY AVAILABLE A FORM FOR THE NOTICE UNDER THIS PARAGRAPH.

(4) (I) A COMPLAINT FILED UNDER THIS SECTION SHALL STATE ONE OF THE FOLLOWING:

1. THE GOOD CAUSE FOR THE NONRENEWAL OF THE LEASE OR THE TERMINATION OF THE HOLDOVER TENANCY; OR

2. THAT THE LANDLORD IS NOT SUBJECT TO THE LOCAL GOOD CAUSE REQUIREMENTS ADOPTED IN ACCORDANCE WITH § 8-402.3 OF THIS SUBTITLE.

(II) A LANDLORD SHALL PLEAD SPECIFIC FACTS IN THE COMPLAINT TO PROVE THE STATEMENTS MADE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH BY A PREPONDERANCE OF THE EVIDENCE.

(III) 1. IF A LANDLORD CLAIMS IN THE STATEMENT THAT THE LANDLORD IS NOT SUBJECT TO THE LOCAL GOOD CAUSE REQUIREMENTS UNDER § 8-402.3(B) OF THIS SUBTITLE, THE LANDLORD SHALL INCLUDE A CURRENT DISCLOSURE FORM AS PROVIDED IN § 8-208(C)(3)(III) OF THIS TITLE WITH THE COMPLAINT.

2. AN INDIVIDUAL THAT IS IDENTIFIED IN THE DISCLOSURE FORM AS HAVING A DIRECT OR INDIRECT OWNERSHIP INTEREST IN THE RESIDENTIAL RENTAL UNIT OF THE LANDLORD, OR THAT INDIVIDUAL'S DESIGNEE, SHALL SUBMIT AN AFFIDAVIT WITH THE COMPLAINT THAT CERTIFIES THE DISCLOSURE FORM IS TRUE AND COMPLETE.

3. IF A CURRENT DISCLOSURE FORM AND AFFIDAVIT ARE NOT SUBMITTED WITH THE COMPLAINT, THE LANDLORD SHALL BE SUBJECT TO THE LOCAL GOOD CAUSE REQUIREMENTS OF THE COUNTY FOR THAT ACTION.

8-402.3.

(A) IN THIS SECTION, "HOLDOVER TENANCY" MEANS A TENANCY ESTABLISHED UNDER § 8-402(D) OF THIS SUBTITLE.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A COUNTY MAY ADOPT, BY LOCAL LAW OR ORDINANCE, PROVISIONS THAT PROHIBIT A LANDLORD FROM FAILING TO RENEW A LEASE DURING THE LEASE PERIOD OR SEEKING TO TERMINATE A HOLDOVER TENANCY WITHOUT GOOD CAUSE.

(2) EACH OF THE FOLLOWING GROUNDS SHALL CONSTITUTE GOOD CAUSE IN A LOCAL LAW OR ORDINANCE ADOPTED UNDER THIS SECTION:

(I) A TENANT COMMITTING A SUBSTANTIAL BREACH OF THE LEASE OR CAUSING SUBSTANTIAL DAMAGE TO THE LEASED PREMISES OR ANOTHER AREA OF THE PROPERTY AND, AFTER RECEIVING NOTICE TO CURE OR CORRECT THE BREACH OR PAY THE REASONABLE COST OF REPAIRING THE DAMAGE, THE TENANT FAILS TO COMPLY WITHIN 14 DAYS;

(II) A TENANT ENGAGING IN ROUTINE DISORDERLY CONDUCT THAT DISTURBS THE PEACE AND QUIET OF OTHER TENANTS;

(III) A TENANT ENGAGING IN ILLEGAL ACTIVITY ON THE LEASED PREMISES, ANOTHER AREA OF THE PROPERTY, OR A PUBLIC RIGHT-OF-WAY ABUTTING THE LEASED PREMISES;

(IV) A TENANT, WITHOUT REASONABLE CAUSE, REFUSING TO GRANT THE LANDLORD ACCESS TO THE LEASED PREMISES FOR THE PURPOSE OF MAKING REPAIRS OR IMPROVEMENTS OR INSPECTING THE LEASED PREMISES, OR AS OTHERWISE AUTHORIZED UNDER THE RESIDENTIAL LEASE OR APPLICABLE LAW;

(V) A HOLDOVER TENANT FAILING TO ACCEPT A LANDLORD'S OFFER OF A NEW LEASE AGREEMENT FOR A TERM OF AT LEAST 1 MONTH BUT NOT LONGER THAN THE TERM OF THE LEASE AGREEMENT EFFECTIVE IMMEDIATELY BEFORE THE HOLDOVER TENANCY WITHIN 1 MONTH AFTER THE LANDLORD MAKES THE OFFER OR A GREATER PERIOD OF TIME AS OTHERWISE ESTABLISHED BY LAW;

(VI) A TENANT REPEATEDLY COMMITTING MINOR VIOLATIONS OF THE LEASE THAT:

- 1. DISRUPT THE LIVABILITY OF THE LEASED PREMISES;**
- 2. INTERFERE WITH THE MANAGEMENT OF THE PROPERTY; OR**
- 3. HAVE AN ADVERSE FINANCIAL IMPACT ON THE PROPERTY;**

(VII) A TENANT HABITUALLY FAILING TO PAY RENT WHEN DUE, IF THE TENANT HAS BEEN NOTIFIED BY THE LANDLORD IN WRITING THAT THE RENT IS MORE THAN 10 DAYS LATE AT LEAST FOUR TIMES IN A 12-MONTH PERIOD;

(VIII) A LANDLORD, IN GOOD FAITH, SEEKING TO RECOVER POSSESSION OF THE LEASED PREMISES FOR USE BY THE LANDLORD OR THE LANDLORD'S:

1. SPOUSE;
2. CHILD OR STEPCHILD;
3. PARENT OR STEPPARENT;
4. GRANDPARENT;
5. SIBLING;
6. MOTHER-IN-LAW OR FATHER-IN-LAW;
7. DAUGHTER-IN-LAW OR SON-IN-LAW;
8. GRANDCHILD; OR
9. AUNT OR UNCLE;

(IX) A LANDLORD, AFTER HAVING OBTAINED ALL NECESSARY PERMITS, SEEKING TO UNDERTAKE SUBSTANTIAL REPAIRS OR RENOVATIONS THAT CANNOT BE COMPLETED WHILE THE LEASED PREMISES ARE OCCUPIED; AND

(X) A LANDLORD, IN GOOD FAITH, SEEKING TO REMOVE THE LEASED PREMISES FOR AT LEAST 1 YEAR FROM THE RENTAL MARKET.

(3) A COUNTY MAY NOT ADOPT ADDITIONAL OR ALTERNATIVE GROUNDS FOR GOOD CAUSE BY LOCAL LAW OR ORDINANCE.

(C) A LOCAL LAW OR ORDINANCE ADOPTED BY A COUNTY UNDER THIS SECTION:

(1) SHALL:

(I) APPLY ONLY TO A LANDLORD THAT OWNS SIX OR MORE RESIDENTIAL RENTAL UNITS IN THE STATE, INCLUDING ANY RESIDENTIAL RENTAL UNITS THAT THE LANDLORD OWNS OR CONTROLS:

1. IN WHOLE OR IN PART;
2. DIRECTLY OR INDIRECTLY; OR

3. THROUGH ONE OR MORE LEGAL ENTITIES;

(II) REQUIRE THAT A LANDLORD ENFORCE SUBSTANTIAL BREACHES OF A LEASE CONSISTENTLY AMONG ALL TENANTS; AND

(III) PROHIBIT A LANDLORD FROM ASSERTING GOOD CAUSE BASED ON A SUBSTANTIAL BREACH OF A LEASE UNLESS THE LANDLORD ENFORCES SUBSTANTIAL BREACHES OF A LEASE CONSISTENTLY AMONG ALL TENANTS; AND

(2) MAY NOT:

(I) APPLY TO AN OWNER-OCCUPIED RESIDENTIAL RENTAL UNIT;

(II) REQUIRE A LANDLORD TO DEMONSTRATE GOOD CAUSE IF A TENANT PROVIDES NOTICE TO THE LANDLORD THAT EXPRESSES THE TENANT'S INTENT NOT TO RENEW THE LEASE OR CONTINUE WITH THE HOLDOVER TENANCY; OR

(III) CONFLICT WITH THE NOTICE REQUIREMENTS OF § 8-402(C) OF THIS SUBTITLE.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR PURPOSES OF ESTABLISHING THE NUMBER OF UNITS OWNED BY A LANDLORD TO DETERMINE THE APPLICABILITY OF A LOCAL LAW OR ORDINANCE ADOPTED IN ACCORDANCE WITH THIS SECTION, ANY RESIDENTIAL RENTAL UNIT IN THE STATE OWNED BY AN INDIVIDUAL OR ENTITY THAT HAS DIRECT OR INDIRECT OWNERSHIP OR MEMBERSHIP INTEREST IN THE LANDLORD SHALL BE CONSIDERED A UNIT OWNED BY THE LANDLORD.

(2) AN INDIVIDUAL OR ENTITY DOES NOT HAVE OWNERSHIP OR MEMBERSHIP INTEREST IN A LANDLORD IF THE INDIVIDUAL'S OR ENTITY'S INTEREST IN THE LANDLORD IS IN THE NATURE OF A NONCONTROLLING INTEREST IN A PUBLICLY TRADED CORPORATION, TRUST, MUTUAL FUND, OR SIMILAR INVESTMENT VEHICLE.

(E) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, NOTHING IN THIS SECTION MAY BE INTERPRETED TO ALTER THE RIGHTS OF A LANDLORD THAT SEEKS RELIEF UNDER THIS SUBTITLE.

(2) A LANDLORD IN A COUNTY THAT HAS ADOPTED A LOCAL LAW OR ORDINANCE UNDER THIS SUBSECTION MAY SEEK RELIEF UNDER § 8-402 OF THIS SUBTITLE ONLY AFTER DECLINING TO ENTER INTO A NEW LEASE OR TO CONTINUE A

1 **HOLDOVER TENANCY IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL LAW**
2 **OR ORDINANCE.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2025.