

HOUSE BILL 970

N1

4lr2469

By: **Delegate Wells**

Introduced and read first time: February 2, 2024

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2024

CHAPTER _____

1 AN ACT concerning

2 **Real Property – Residential Leases – Rent Increase Prohibition**

3 FOR the purpose of prohibiting a landlord from increasing a tenant's rent during a certain
4 lease term if the landlord violates certain notification requirements or retaliating
5 against a tenant because of the prohibition against raising rent under this Act; and
6 generally relating to a rent increase prohibition for residential leases.

7 BY repealing and reenacting, with amendments,

8 Article – Real Property

9 Section 8–209

10 Annotated Code of Maryland

11 (2023 Replacement Volume)

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

14 **Article – Real Property**

15 8–209.

16 (a) (1) This section applies only to a residential lease.

17 (2) This section does not apply to a landlord who has provided written
18 notice of the intent to terminate a tenancy in accordance with § 8–402(c)(2) of this [article]

19 **TITLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(b) (1) A landlord shall notify a tenant in writing before increasing the tenant's rent.

(2) (i) The notice required under paragraph (1) of this subsection shall:

1. Be sent by first-class mail with a certificate of mailing; or

2. If elected by the tenant, sent by electronic delivery in at least one of the following forms:

A. An e-mail message;

B. A text message; or

C. Through an electronic tenant portal.

(ii) The electronic delivery method shall provide the landlord with proof of transmission of the notice.

(iii) A landlord may not condition the acceptance of a lease application on the tenant's election to receive notice under this subsection by electronic delivery.

(3) A landlord shall provide the notice required under paragraph (1) of this subsection:

(i) For tenancies for a term of more than 1 month, at least 90 days in advance of the rent increase;

(ii) For tenancies for a term of more than 1 week, but not more than 1 month, at least 60 days in advance of the rent increase; and

(iii) For tenancies for a term of 1 week or less:

1. At least 7 days in advance of the rent increase if the parties have a written lease; or

2. At least 21 days in advance of the rent increase if the parties do not have a written lease.

(c) **A LANDLORD THAT VIOLATES THIS SECTION MAY NOT:**

(1) INCREASE A TENANT'S RENT FOR THE LEASE TERM FOR WHICH NOTICE OF THE INCREASE IN RENT WAS NOT ADEQUATELY PROVIDED; OR

1 **(2) TAKE ANY RETALIATORY ACTION AGAINST A TENANT, INCLUDING**
2 **REFUSING TO RENEW A LEASE, BECAUSE OF THE PROHIBITION AGAINST AN**
3 **INCREASE IN RENT IN ITEM (1) OF THIS SUBSECTION.**

4 **(D)** This section does not affect or supersede any local law or ordinance that
5 requires additional notice or provides additional tenant protections.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.