

HOUSE BILL 1257

N1

5lr2052

By: **Delegates Vogel, Allen, and Stewart**

Introduced and read first time: February 7, 2025

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Residential Leases – Fee Disclosures**

3 FOR the purpose of prohibiting a certain landlord from advertising the rental rate of a
4 dwelling unit without including information on mandatory fees; requiring a landlord
5 to provide certain information to prospective tenants about fees imposed on tenants
6 and prohibiting a landlord from imposing a mandatory fee that was not disclosed;
7 requiring the Department of Housing and Community Development to provide
8 certain tenant and prospective tenant assistance and authorizing the Department to
9 impose certain penalties for a violation of this Act; authorizing a local jurisdiction to
10 adopt certain local laws; and generally relating to residential leases and fee
11 disclosures for tenants.

12 BY adding to
13 Article – Real Property
14 Section 8–212.5
15 Annotated Code of Maryland
16 (2023 Replacement Volume and 2024 Supplement)

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

19 **Article – Real Property**

20 **8–212.5.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
22 **INDICATED.**

23 **(2) “DWELLING UNIT” MEANS THAT PORTION OF A BUILDING THAT IS**
24 **DESIGNATED, INTENDED, OR ARRANGED FOR USE OR OCCUPANCY AS A RESIDENCE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY ONE OR MORE PERSONS, INCLUDING A RENTED ROOM IN A SINGLE-FAMILY
2 HOUSE.

3 (3) "FEE" MEANS A CHARGE, A COST, OR A MONETARY OBLIGATION
4 OTHER THAN RENT.

5 (4) "MANDATORY FEE" MEANS A COMPULSORY FEE IMPOSED ON A
6 TENANT AS A CONDITION OF TENANCY.

7 (5) (I) "OPTIONAL FEE" MEANS A VOLUNTARY FEE THAT A TENANT
8 MAY ELECT TO PAY A LANDLORD FOR BENEFITS OR SERVICES RELATED TO THE
9 TENANCY.

10 (II) "OPTIONAL FEE" INCLUDES A FEE FOR PARKING, STORAGE,
11 OR PETS.

12 (B) (1) THIS SECTION APPLIES ONLY TO A LANDLORD THAT OFFERS FIVE
13 OR MORE DWELLING UNITS FOR RENT.

14 (2) THIS SECTION DOES NOT APPLY TO:

15 (I) CHARGES IMPOSED ON A TENANT FOR THE PAYMENT OF
16 WATER, SEWER, GAS, OR ELECTRIC UTILITIES;

17 (II) COSTS, FINES, OR FEES FOR MINOR VIOLATIONS OF A LEASE
18 AGREEMENT, OR OTHER IRREGULAR COSTS INCURRED AS A RESULT OF A TENANT'S
19 ACTIONS, SUCH AS A CHARGE FOR A REPLACEMENT KEY OR A PENALTY FOR A
20 VIOLATION OF THE BYLAWS OF A COMMON OWNERSHIP COMMUNITY IF THE
21 DWELLING UNIT IS LOCATED IN A COMMON OWNERSHIP COMMUNITY; OR

22 (III) THE WITHHOLDING OF ANY PORTION OF A SECURITY
23 DEPOSIT AT THE END OF A TENANCY IN ACCORDANCE WITH § 8-203 OF THIS
24 SUBTITLE.

25 (C) (1) A LANDLORD MAY NOT ADVERTISE, PUBLISH, OR ANNOUNCE, OR
26 CAUSE TO BE ADVERTISED, PUBLISHED, OR ANNOUNCED, INCLUDING IN A LISTING
27 OR POSTING ON A WEBSITE THAT ADVERTISES AVAILABLE RESIDENTIAL RENTAL
28 PROPERTIES, THE RENTAL RATE OF A DWELLING UNIT UNLESS ALL MANDATORY
29 FEES ARE INCLUDED IN OR STATED WITH THE RENTAL RATE.

30 (2) IF A MANDATORY FEE IS DUE AT A TIME DIFFERENT FROM THE
31 RENT, THE LANDLORD SHALL SEPARATELY STATE THE AMOUNT OF THE FEE AND
32 THE TIME AT WHICH THE FEE WILL BE DUE.

(D) (1) A LANDLORD SHALL, IN WRITING, PROVIDE A PROSPECTIVE TENANT WITH AN ITEMIZED LIST THAT CLEARLY IDENTIFIES ALL FEES THAT A LANDLORD MAY IMPOSE ON THE PROSPECTIVE TENANT AND INCLUDES THE FOLLOWING INFORMATION:

(I) THE BASIS FOR THE FEE;

(II) THE AMOUNT OF THE FEE;

(III) WHETHER THE FEE IS A MANDATORY FEE OR AN OPTIONAL FEE; AND

(IV) WHEN THE FEE IS DUE, INCLUDING WHETHER THE FEE IS LUMP SUM, MONTHLY, OR PERIODIC IN SOME OTHER WAY.

(2) A LANDLORD MAY NOT IMPOSE A MANDATORY FEE ON A TENANT THAT IS NOT DISCLOSED IN ACCORDANCE WITH THIS SUBSECTION.

(3) A LEASE PROVISION FOR WHICH THE REQUIREMENTS OF THIS SUBSECTION WERE NOT MET SHALL BE UNENFORCEABLE.

(E) (1) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL ASSIST TENANTS AND PROSPECTIVE TENANTS WITH:

(I) UNDERSTANDING THIS SECTION; AND

(II) REPORTING VIOLATIONS OF THIS SECTION.

(2) AFTER AN OPPORTUNITY FOR A HEARING, THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MAY IMPOSE AN ADMINISTRATIVE PENALTY FOR EACH VIOLATION OF THIS SECTION, NOT EXCEEDING:

(I) FOR A FIRST OFFENSE, A WARNING;

(II) FOR A SECOND OFFENSE:

1. \$500 IF THE LANDLORD IS AN INDIVIDUAL; OR

2. \$1,000 IF THE LANDLORD IS AN ENTITY; AND

(III) FOR A THIRD OR SUBSEQUENT OFFENSE:

1 1. **\$1,000 IF THE LANDLORD IS AN INDIVIDUAL; OR**

2 2. **\$2,000 IF THE LANDLORD IS AN ENTITY.**

3 **(3) THE DEPARTMENT OF HOUSING AND COMMUNITY**
4 **DEVELOPMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF**
5 **THIS SUBSECTION.**

6 **(F) (1) A COUNTY OR MUNICIPAL CORPORATION MAY ENACT LOCAL LAWS**
7 **CONSISTENT WITH THIS SECTION.**

8 **(2) ANY LOCAL LAW OR ORDINANCE THAT IS COMPARABLE IN**
9 **SUBJECT MATTER TO THIS SECTION SHALL SUPERSEDE THE PROVISIONS OF THIS**
10 **SECTION TO THE EXTENT THAT THE LOCAL LAW OR ORDINANCE IS MORE STRINGENT**
11 **OR PROVIDES STRONGER PROTECTION TO A TENANT OR BROADER APPLICABILITY**
12 **THAN THIS SECTION.**

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