

# HOUSE BILL 994

D3, N1  
HB 971/16 – ENV

7lr1125

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By: **Delegates Waldstreicher, Barve, and Holmes**

Introduced and read first time: February 8, 2017

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Statute of Limitations – Residential Leases Signed Under Seal**

3 FOR the purpose of clarifying the time period within which a civil action on a residential  
4 lease that has been signed under seal must be filed; declaring the intent of the  
5 General Assembly; and generally relating to the statute of limitations for residential  
6 leases signed under seal.

7 BY repealing and reenacting, without amendments,  
8 Article – Courts and Judicial Proceedings  
9 Section 5–101  
10 Annotated Code of Maryland  
11 (2013 Replacement Volume and 2016 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Courts and Judicial Proceedings  
14 Section 5–102  
15 Annotated Code of Maryland  
16 (2013 Replacement Volume and 2016 Supplement)

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

19 **Article – Courts and Judicial Proceedings**

20 5–101.

21 A civil action at law shall be filed within three years from the date it accrues unless  
22 another provision of the Code provides a different period of time within which an action  
23 shall be commenced.

24 5–102.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) An action on one of the following specialties shall be filed within 12 years after  
2 the cause of action accrues, or within 12 years from the date of the death of the last to die  
3 of the principal debtor or creditor, whichever is sooner:

4 (1) Promissory note or other instrument under seal;

5 (2) Bond except a public officer's bond;

6 (3) Judgment;

7 (4) Recognizance;

8 (5) Contract under seal; or

9 (6) Any other specialty.

10 (b) A payment of principal or interest on a specialty suspends the operation of  
11 this section as to the specialty for three years after the date of payment.

12 (c) This section does not apply to:

13 (1) A specialty taken for the use of the State; [or]

14 (2) A deed of trust, mortgage, or promissory note that has been signed  
15 under seal and secures or is secured by owner-occupied residential property, as defined in  
16 § 7-105.1 of the Real Property Article; OR

17 **(3) A RESIDENTIAL LEASE THAT HAS BEEN SIGNED UNDER SEAL.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General  
19 Assembly to clarify that an action for rent arrears under any kind of residential lease must  
20 be filed in compliance with § 5-101 of the Courts Article.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
22 October 1, 2017.