

HB1008/692915/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1008

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Proceedings –**” insert “**Prohibition on Rent Increases and**”; in line 3, after “of” insert “prohibiting a landlord from increasing rent for a certain reason;”; in line 7, after “circumstances;” insert “prohibiting the District Court from sealing court records relating to a failure to pay rent proceeding under certain circumstances; authorizing certain sealed records to be opened under certain circumstances; authorizing a tenant to obtain a copy of a certain order in a certain manner;”; in line 8, after “Act;” insert “requiring the Maryland Judiciary to develop and publish a certain form on its website on or before a certain date; requiring a certain form to include certain information; providing for the effective dates of this Act;”; in the same line, after the first “to” insert “a prohibition on increasing rent and”; in line 10, strike “repealing and reenacting, without amendments,” and substitute “adding to”; in line 12, strike “8–401(e)” and substitute “8–119 and 8–401(g)”; in line 15, strike “adding to” and substitute “repealing and reenacting, without amendments.”; and in line 17, strike “8–401(g)” and substitute “8–401(e)”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

**8–119.**

**A LANDLORD MAY NOT INCREASE A TENANT’S RENT SOLELY BECAUSE A JUDGMENT WAS ENTERED AGAINST THE TENANT IN A FAILURE TO PAY RENT ACTION UNDER § 8–401 OF THIS TITLE.**;

in line 18, strike “**30**” and substitute “**60**”; in line 21, after “**POSSESSION**” insert “**AND NO APPEAL IS PENDING**”; in line 33, after “**(II)**” insert “**THE DISTRICT COURT MAY**”

(Over)

NOT SEAL A COURT RECORD UNDER THIS SUBSECTION IF THE TENANT RECEIVES FEDERAL FUNDS TO SUBSIDIZE RENT REQUIRED UNDER THE LEASE AGREEMENT AND FAILS TO PAY THE NONFEDERAL PORTION OF ANY RENT DUE.

(III)”;

and after line 35, insert:

“(IV) SUBJECT TO SUBPARAGRAPH (V) OF THIS PARAGRAPH, A RECORD SEALED UNDER THIS PARAGRAPH MAY BE OPENED ONLY:

1. ON WRITTEN REQUEST BY THE TENANT; OR
2. ON ORDER OF THE DISTRICT COURT ON A SHOWING OF COMPELLING NEED.

(V) A TENANT MAY OBTAIN A COPY OF AN ORDER ISSUED UNDER THIS SUBSECTION AT ANY TIME FROM A CLERK OF THE DISTRICT COURT, ON PROPER IDENTIFICATION, WITHOUT A SHOWING OF NEED.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before October 1, 2021, the Maryland Judiciary shall develop and publish on its website a form titled “Petition to Seal an Eviction Record” to facilitate the implementation of § 8–401(g) of the Real Property Article, as enacted by Section 1 of this Act.

(b) The form required under subsection (a) of this section shall include a question on whether the tenant used federal funds to subsidize the tenant’s payment of rent owed under the lease agreement.

**HB1008/692915/1 House Judiciary Committee**  
**Amendments to HB 1008**  
**Page 3 of 3**

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2021.

On page 3, in line 1, strike “2.” and substitute “4.”; in the same line, after “That” insert “, except as provided in Section 3 of this Act.”; and in line 2, strike “October” and substitute “July”.