

Rent Court for Landlords

If your case is about commercial property, talk to a lawyer.

Frequently-used Terms

- **Landlord:** The person or business that owns and leases housing to other people.
- **Tenant:** The person or group of people who rent and live in a property.
- **Eviction:** The removal of a tenant from rental property by the landlord as the result of a legal judgment.
- **Rent ledger:** A written record of rent money paid by the tenant that you must maintain. Include date, amount paid, method of payment, and any outstanding balance.
- **Service** or **service of process:** How tenants are notified that a case has been filed with the court. The court or Sheriff will mail copies of the court notice. The Sheriff's Department will also post a copy of the notice on the door of the property.
- **Right of redemption.** The right to redeem the property and cancel an eviction by paying all rent due, plus costs, before the Sheriff executes the eviction. This is sometimes called "pay and stay."
- **Warrant of restitution.** This court document indicates that the court authorizes an eviction. If rent is not paid and the judge signs the warrant, the warrant is forwarded to the Sheriff's Department to schedule an eviction.
- **Licensing.** Many areas in Maryland require a landlord to get a housing registration license before renting residential property to a tenant. You may be required to file a lead certificate. Maryland law requires owners of rental properties built before 1978 to register their units with the Maryland Department of the Environment (MDE). If required, the landlord may have to prove that he or she is properly licensed before proceeding in court.

Before Court: Unpaid Rent

- Read the lease and understand your responsibilities.
- Make sure you have met the legal requirements to rent property in your area. Rental license? Lead certificate? Talk to a lawyer if you are unsure.
- Ask the tenant why he or she has not paid rent. If there are problems with the property, fix them. Keep records of any work done.
- Consider mediation. See mdcourts.gov/macro. Or, call 410-260-1676.
- File a Failure to Pay Rent case with the court. If you are not sure which kind of case to file, talk to a lawyer.



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Preparing to Go to Court

- Use Form DC-CV-082.
- Get paperwork in order. Get your rent ledger, rental license, and, if necessary, the lead certificate.
- File the form in the county in which the property is located. Pay any fees.

In Court

- You or your representative may appear in court. You may have a property agent or lawyer appear on your behalf.
- If either party fails to appear, the court may dismiss the case, enter a judgment, or postpone the trial.
- If the tenant pays all the rent before the hearing, dismiss the case. Dismissal forms are online or at the clerk's office.
- If the tenant pays some of the rent, you may move forward with the case. Correct the amount due at the hearing.
- Consider observing court before your hearing date. If you are nervous or unsure, hire a lawyer or agent to represent you.

After Court

- If you disagree with the judge's decision, you may file an appeal within four (4) business days. The tenant may also appeal.
- A tenant may have to post a bond to prevent eviction from moving forward while an appeal is pending. If you have questions about an appeal, talk to a lawyer.
- Talk to a lawyer at the District Court Self-Help Resource Center at 410-260-1392.
- If you won the case, wait four (4) business days. If the tenant has not paid or filed an appeal by the fifth (5) day, file a Petition for Warrant of Restitution (Form DC-CV-081). There may be a fee. Once signed, that document gives you the right to evict the tenant. The Sheriff will contact you to schedule the eviction.
- In most counties, landlords are not responsible for notifying tenants about an eviction. The Sheriff must be present during the eviction, which must take place within 60 days after the court signs the Warrant of Restitution.
- If the tenant pays all rent and monies due, you must accept the money and cancel the eviction.
- Tenants lose the right to "pay and stay" if there have been more than three (3) rent judgments against him or her in the 12 months before the eviction. In Baltimore City, the limit is four (4) rent judgments.