

HCS HB 1862 -- LANDLORD-TENANT (Cross)

COMMITTEE OF ORIGIN: Standing Committee of Civil and Criminal Proceedings

This bill specifies that for the purpose of restoring possession in a landlord tenant action, judgment must be executed no sooner than 10 days after the judgment.

Currently, if on any date after the date of any original trial, the defendant satisfies the judgment and pays all costs, the execution for possession of the premises must cease and be stayed. The bill requires that in order to cease and stay an execution for possession, the defendant must satisfy the judgment on any date after the date of any original trial and before the judgment becomes final.

The bill specifies that additional conditions of an appeal bond must be to stay waste and to pay all subsequently accruing rent, if any, into court within 10 days after it becomes due. Execution for the purposes of restoring possession must be stayed pending an appeal if the losing party posts a sufficient appeal bond.

This bill specifies that a landlord and tenant may agree in the rental agreement to withhold from the security deposit an amount or fee for specific services that may be required to return the rental premises to its condition at the commencement of the tenancy. Currently, a landlord is authorized to withhold only the amount that is reasonably necessary to restore the dwelling unit to its condition at the commencement of the tenancy, ordinary wear and tear excepted.

This bill is similar to HCS HB 1006 (2015) and HB 1330 (2015).