

CITY OF BALTIMORE
COUNCIL BILL 25-0087
(First Reader)

Introduced by: Councilmember Torrence

Cosponsored by: Councilmembers Middleton, Gray, Bullock, Blanchard, Ramos, and Porter

Introduced and read first time: August 18, 2025

Assigned to: Housing and Economic Development Committee

Referred to the following agencies: City Solicitor, Department of Housing and Community Development, Baltimore City Sheriff's Office, Circuit Court for Baltimore City

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Eviction Chattels – Time Period to Reclaim**

3 FOR the purpose of requiring a landlord to retain a tenant's property for a specified period of time
4 under certain circumstances; requiring a certain notice be provided to a tenant upon eviction;
5 and generally relating to eviction and a tenant's right to reclaim personal property.

6 BY repealing and re-ordaining, with amendments,

7 Article 13 - Housing and Urban Renewal

8 Sections 8A-2 to 8A-4

9 Baltimore City Code

10 (Edition 2000)

11 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
12 Laws of Baltimore City read as follows:

13 **Baltimore City Code**

14 **Article 13. Housing and Urban Renewal**

15 **Subtitle 8A. Eviction Chattels**

16 **§ 8A-2. Notice of pending dispossession.**

17 (a) *Scope.*

18 The requirement to provide notice under subsection (b) of this section does not apply to
19 any judgment [entered:] ENTERED

20 [(1) in favor of a foreclosure purchaser; or]

21 [(2)] in favor of a landlord for possession of a leased dwelling under one of the
22 following sections of the State Real Property Article:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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(1) [(i)] § 14-120 {"Abatement of nuisance; dangerous substances"};

(2) [(ii)] § 14-123 {"Baltimore City nuisance actions"}; OR

[(iii) § 8-402 {"Tenant holding over"};]

[(iv) § 8-402.1 {"Proceedings upon Breach of Lease"}; or]

(3) [(v)] § 8-402.4 {"Wrongful detainer"}.

(b) Notice required.

Whenever a judgment is entered in favor of the landlord for possession of a leased [dwelling, the landlord shall notify the tenant of the date on which the warrant of restitution is first scheduled to be executed by the Sheriff.] DWELLING AND A COURT HAS ISSUED A WARRANT OF RESTITUTION, THE LANDLORD SHALL, AT LEAST 14 DAYS BEFORE THE SCHEDULED DATE OF REPOSSESSION SET BY THE SHERIFF, PROVIDE WRITTEN NOTICE TO THE TENANT OF THE DATE ON WHICH THE INITIAL EVICTION IS SCHEDULED, PURSUANT TO § 8-407(B) AND (E) OF THE STATE REAL PROPERTY ARTICLE.

(c) How given.

The notice shall be:

(1) mailed by first-class mail with certificate of mailing at least 14 days before the first scheduled date of execution; [and]

(2) posted on the premises at least [7] 14 days before the first scheduled date of [execution.] AND A DATE-STAMPED PHOTOGRAPH OF THE NOTICE POSTED ON THE FRONT DOOR SHALL BE TAKEN AND RETAINED BY THE LANDLORD; AND

(3) IF THE LANDLORD KNOWS OR HAS ON FILE THE E-MAIL ADDRESS OR CELL PHONE NUMBER OF THE TENANT, SENT ELECTRONICALLY TO THE TENANT BY AN E-MAIL OR TEXT MESSAGE.

(D) RECLAMATION OF PERSONAL PROPERTY.

(1) IN GENERAL.

A TENANT SHALL HAVE AT LEAST 10 DAYS FOLLOWING THE EXECUTION OF A WARRANT OF RESTITUTION UNDER SUBSECTION (C) OF THIS SECTION TO, AT NO COST TO THE TENANT, RECOVER PERSONAL PROPERTY FROM THE LEASED DWELLING OR ANOTHER REASONABLE SECURE LOCATION CHOSEN BY THE LANDLORD.

(2) STORAGE FEES.

(I) IN THE 10 DAYS FOLLOWING THE EXECUTION OF A WARRANT OF RESTITUTION, A TENANT MAY, IN WRITING, REQUEST THAT THE LANDLORD STORE THE TENANT'S PERSONAL PROPERTY FOR UP TO 30 DAYS FOLLOWING THE EXECUTION OF THE WARRANT OF RESTITUTION.

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(II) UPON A TENANT'S TIMELY REQUEST UNDER THIS PARAGRAPH, THE LANDLORD SHALL STORE THE TENANT'S PERSONAL PROPERTY FOR UP TO 30 DAYS FOLLOWING THE EXECUTION OF THE WARRANT OF RESTITUTION.

(III) THE LANDLORD MAY CHARGE THE TENANT REASONABLE STORAGE COSTS INCURRED BY THE LANDLORD, BEGINNING ON THE 11TH DAY AFTER THE EXECUTION OF THE WARRANT OF RESTITUTION AND CONTINUING UNTIL THE END OF THE 30TH DAY AFTER THE EXECUTION OF THE WARRANT OF RESTITUTION.

(3) *LANDLORD RESPONSIBILITIES.*

DURING THE TIME PERIOD ESTABLISHED UNDER THIS SUBSECTION:

(I) THE LANDLORD SHALL MAKE THE TENANT'S PERSONAL PROPERTY REASONABLY AVAILABLE TO THE TENANT FOR PURPOSES OF RECLAMATION; AND

(II) THE LANDLORD IS NOT LIABLE TO THE TENANT FOR ANY LOSSES RELATING TO THE PERSONAL PROPERTY UNLESS THE LOSS IS THE RESULT OF A DELIBERATE OR NEGLIGENT ACT ON THE PART OF THE LANDLORD.

(4) *TENANT MAY NOT WAIVE.*

A TENANT MAY NOT WAIVE THE RIGHT TO RECLAIM PERSONAL PROPERTY UNDER THIS SECTION.

(E) [(d)] *Contents.*

The notice [shall:] REQUIRED UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE THE FOLLOWING:

[(1) state the District Court Summary Ejectment Case Number, the tenant's name, and the address of the leased dwelling;]

[(2) specify the date on which the eviction is first scheduled to be executed;]

[(3) state that the eviction will be executed on that date unless:]

[(i) the tenant moves out and returns control of the property to the landlord; or]

[(ii) the tenant exercises the right to redemption under State Real Property Article § 8-401(e), unless the right to redeem has been foreclosed or otherwise is inapplicable;]

[(4) prominently warn the tenant that any property left in the leased dwelling will be considered abandoned and may be disposed of on execution of the warrant of restitution; and]

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1 [(5) state that it is the final notice of the date of the eviction, even if the eviction date
2 is postponed by the Sheriff or the court.]

3 (1) THE DISTRICT COURT CASE NUMBER;

4 (2) THE TENANT’S NAME AS STATED IN THE DISTRICT COURT CASE;

5 (3) THE ADDRESS OF THE LEASED PREMISES;

6 (4) THE DATE ON WHICH THE WARRANT OF RESTITUTION WAS ORDERED BY THE
7 DISTRICT COURT;

8 (5) THE INITIAL SCHEDULED DATE OF THE EVICTION;

9 (6) A STATEMENT THAT THE REPOSSESSION OF THE PREMISES MAY OCCUR
10 UNLESS THE TENANT:

11 (I) RETURNS POSSESSION OF THE LEASED PREMISES TO THE LANDLORD;
12 OR

13 (II) IF THE WARRANT IS A WARRANT OF RESTITUTION ISSUED UNDER
14 §8-401 OF THE STATE REAL PROPERTY ARTICLE, EXERCISED THE RIGHT TO
15 REDEMPTION, IF AVAILABLE;

16 (7) IF THE TENANT HAS A RIGHT TO REDEMPTION OF THE LEASED PREMISES UNDER
17 § 8-401(H) OF THE STATE REAL PROPERTY ARTICLE, A STATEMENT SHOWING THE
18 AMOUNT STILL DUE TO REDEEM THE PROPERTY;

19 (8) A STATEMENT THAT THE NOTICE IS THE FINAL NOTICE TO THE TENANT OF THE
20 INTENDED REPOSSESSION, EVEN IF THE REPOSSESSION IS STAYED FOR ANY REASON;

21 (9) THE FOLLOWING STATEMENT:

22 “YOU WILL HAVE 10 DAYS TO RECLAIM YOUR PERSONAL BELONGINGS LEFT IN
23 OR AROUND THE RENTAL PROPERTY AFTER THE EVICTION OCCURS AT NO
24 ADDITIONAL COST. THE LANDLORD MAY STORE YOUR BELONGINGS IN THE
25 RENTAL PROPERTY OR AT ANOTHER LOCATION.

26 IF YOU NEED MORE TIME THAN 10 DAYS TO RECLAIM YOUR BELONGINGS, YOU
27 SHALL CONTACT THE LANDLORD IN WRITING PRIOR TO THE END OF THE 10TH
28 DAY FOLLOWING THE EVICTION (“THE 10TH DAY”) AND REQUEST ADDITIONAL
29 TIME.

30 YOU MAY REQUEST ADDITIONAL TIME IN THE AMOUNT OF UP TO 30 DAYS
31 AFTER THE EVICTION DATE. IF YOU REQUEST ADDITIONAL TIME TO RECLAIM
32 YOUR BELONGINGS AFTER THE 10TH DAY, THE LANDLORD SHALL CONTINUE TO
33 STORE YOUR BELONGINGS FOR UP TO 30 DAYS AND MAY CHARGE YOU ANY
34 REASONABLE COSTS THEY HAVE INCURRED FOR STORING YOUR PROPERTY FOR
35 THE ADDITIONAL PERIOD OF TIME.

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ANY PERSONAL BELONGINGS LEFT IN THE RENTAL PROPERTY AFTER THE 10TH DAY (OR UP TO 30 DAYS IF REQUESTED) WILL BE CONSIDERED ABANDONED AND MAY BE DISPOSED OF BY THE LANDLORD.

YOU MAY SEEK ADVICE BY CALLING 211 FOR A LEGAL REFERRAL OR BY CONTACTING THE DISTRICT COURT HELP CENTER AT (INSERT THE TELEPHONE NUMBER FOR THE DISTRICT COURT HELP CENTER) OR (INSERT THE ADDRESS FOR THE WEBSITE OF THE DISTRICT COURT HELP CENTER) TO SPEAK TO AN ATTORNEY.”; AND

(10) THE TELEPHONE NUMBER, EMAIL ADDRESS, AND MAILING ADDRESS AT WHICH THE LANDLORD MAY BE CONTACTED.

(F) PRESUMPTION OF NOTIFICATION.

THERE IS A REBUTTABLE PRESUMPTION THAT A TENANT WAS NOTIFIED AS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION IF THE LANDLORD PROVIDES TO THE SHERIFF THE FOLLOWING DOCUMENTATION:

(1) THE CERTIFICATE OF MAILING;

(2) A PHOTOGRAPH OF THE NOTICE POSTED ON THE FRONT DOOR OF THE LEASED PREMISES THAT CONTAINS A READABLE TIMESTAMP THAT INDICATES THE DATE AND TIME THE NOTICE WAS POSTED; AND

(3) AN AFFIDAVIT SIGNED BY THE INDIVIDUAL WHO POSTED THE NOTICE ON THE FRONT DOOR OF THE LEASED PREMISES.

(G) TENANT NOT PRESENT.

IF A TENANT IS NOT PRESENT WHEN THE SHERIFF EXECUTES A WARRANT OF RESTITUTION, THE SHERIFF SHALL POST A NOTICE ON THE FRONT DOOR OF THE PREMISES STATING THAT:

(1) REPOSSESSION OF THE PREMISES HAS BEEN COMPLETED;

(2) THE TENANT HAS 10 DAYS TO RECLAIM THE TENANT’S PERSONAL PROPERTY AT NO COST; AND

(3) AT THE TENANT’S REQUEST TO THE LANDLORD, THE TENANT MAY HAVE 20 ADDITIONAL DAYS TO RECLAIM THE TENANT’S PERSONAL PROPERTY AT THE REASONABLE STORAGE COST, WHICH SHALL BE INCURRED BY THE LANDLORD.

(H) [(e)] Charge for notice.

A landlord may charge the tenant for expenses incurred in providing [this notice,] A NOTICE OF DISPOSSESSION UNDER THIS SECTION, up to a maximum of \$5.

1 **§ 8A-3. Vacating execution of warrant.**

2 (a) *By Sheriff.*

3 If the Sheriff reasonably believes that the landlord did not provide the tenant with the
4 notice required by § 8A-2 of this subtitle, the Sheriff shall notify the District Court and
5 may not execute the warrant of restitution until further order of the Court.

6 (b) *By District Court.*

7 If the District Court finds that the landlord did not provide the tenant with the notice
8 required by § 8A-2 of this subtitle, the District Court shall vacate the warrant of
9 restitution.

10 [(c) *Presumption that tenant notified.*]

11 [If the landlord provides a copy of the notice, certificate of mailing, and signed affidavit
12 by the person who posted the property, all of which are dated within the proper time
13 periods required by § 8A-2 of this subtitle, there is a rebuttable presumption that the
14 tenant was notified.]

15 **§ 8A-4. Unclaimed property is abandoned.**

16 (a) *In general.*

17 [All property in or about the leased premises at the time that the warrant of restitution is
18 executed is abandoned.]

19 UNLESS THE LANDLORD AND TENANT AGREE OTHERWISE, FOLLOWING THE TIME PERIOD
20 ESTABLISHED UNDER ART 13 § 8A-2(D), THE TENANT'S PERSONAL PROPERTY REMAINING
21 IN OR ABOUT THE LEASED PREMISES OR IN THE REASONABLY SECURE STORAGE LOCATION
22 CHOSEN BY THE LANDLORD SHALL BE DEEMED ABANDONED.

23 (b) *No liability.*

24 Neither the landlord nor someone acting on the landlord's behalf is liable for any loss or
25 damage to abandoned property.

26 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
27 after the date it is enacted.