

Landlord-Tenant Code – Prohibition of Rent Increases, Rental Terminations and Late Fees During the COVID-19 Public Health Crisis

Legislative Proceedings Overview:

On June 9, 2020, the Prince George's County Council enacted CB-16-2020 and amended the Prince George's County Landlord-Tenant Code to prohibit rent increases and rental terminations; provide payment plans with certain tenants; and prohibit late fees or penalties from being charged during the COVID-19 state-wide emergency and within 90 days after the expiration of an emergency.

Subsequently on July 21, 2020 curative legislation was passed. CR-60-2020 was passed to clarify the that prior definition of tenant, i.e. a person who occupies a rental dwelling unit for living or dwelling purposes, was not stricken from the County's Landlord-Tenant Code.

In addition, CB-52-2020 was adopted to reinstate the prior definition of tenant (referenced above) and the definition of tenant included in CB-16-2020 has been renamed "tenant with substantial loss of income".

Substantive Provisions of New Regulations:

During the COVID-19 health emergency as declared by the Governor of the Maryland, a landlord may not increase the rent for a tenant with a substantial loss of income if the rent increase would take effect during the health emergency and within 90 days after expiration of the emergency.

Additionally, landlords may not impose late fees or penalties for **any** tenant. Landlords shall not issue notices of rent increase, late fees or penalties that apply to payments required during the emergency and within 90 days after expiration of the emergency.

Landlords must inform a tenant with a substantial loss of income in writing to disregard any notice of a rent increase if: (1) the landlord provided the notice to the tenant prior to the emergency; and (2) if the effective date of the increase would occur on or after the date the emergency began. Landlords may offer a written rent payment plan to a tenant with a substantial loss of income.

Additionally, landlords are prohibited from evicting a tenant for non-payment of rent for any eviction proceedings not initiated before the COVID-19 emergency. This prohibition is effective for the duration of the emergency. Moreover, any new complaints filed against tenants for failure to pay rent shall be prohibited during the duration of the emergency.

This new provision regarding evictions applies from the date of the Governor of the State of Maryland's Executive Order Number 20-04-03-01 on April 3, 2020 until August 31, 2020.

Tenants with substantial loss of income means tenants that can demonstrate proof through documentation or other objectively verifiable means, that the tenant suffered a Substantial Loss of Income and are therefore unable to make rent payments because of the emergency, as defined by the Governor of the State of Maryland's Executive Order Number 20-04-03-01. For more information regarding the Governor's Order, please visit: [Governor Order Evictions](#).

For more information regarding this legislation, please visit the [County Legislative/Zoning Information System](#).