



General Information on Rented Property

Requirements to Certify Compliance With Inspection & Certification Requirements

Effective October 1, 2004, owners (including landlords, landlord agents, and management companies) who file for repossession of rented property because a tenant has failed to pay rent must certify whether the property is considered “affected property” under Maryland law and therefore subject to certain state inspection and registration requirements pertaining to lead standards for residential rental units. The Failure to Pay Rent - Landlord’s Complaint for Repossession of Rented Property form (DC-CV-082) is designed to assist landlords in providing the information necessary under the law.

Affected Property means:

- (i) Property constructed before 1978 that contains at least one rental unit, including an individual rental dwelling unit within a multifamily rental dwelling; or
- (ii) Any residential rental property for which the owner elects to comply with inspection and registration requirements.

Affected Property does not include:

- (i) property owned or operated by a unit of federal, State, or local government, or any public, quasi-public, or municipal corporation, if the property is subject to lead standards that are equal to, or more stringent than, the risk reduction standard established under Maryland law; or
- (ii) Property certified to be lead-free

When completing the District Court’s Failure to Pay Rent – Landlord’s Complaint for Repossession of Rental Property form, if the rented property is “affected property” subject to lead standards established by Maryland law, the landlord must provide the inspection certificate number from the Maryland Department of Environment inspection performed before the tenant moved in. If the landlord is unable to provide an inspection certificate number, the landlord should be prepared to state in the Complaint why the owner is unable to provide that number.

In order to prepare the court form, landlords should check all of the applicable boxes in paragraph 3 of the Complaint that reads as follows:

The property: is *affected* property under § 6-801, Environment Article, its registration with the MDE is current and its registration has been renewed as required; MDE inspection certificate number, _____, is valid for the current tenancy; or owner is unable to state Certificate No. because: exempt tenant refused access or to relocate/vacate for remedial work. The property is not *affected*.