



**DISTRICT COURT OF MARYLAND**  
District Twelve

**ERICH M. BEAN**  
*Administrative Judge*

123 S. Liberty Street, 2<sup>nd</sup> Floor  
Cumberland, Maryland 21502  
301-723-3105

**MEMORANDUM**

**TO:** Allegany County Sheriff's Department  
Garrett County Sheriff's Department

**FROM:** Erich M. Bean, Administrative Judge

**DATE:** October 8, 2024

**SUBJECT:** Evictions in Extreme Weather Conditions

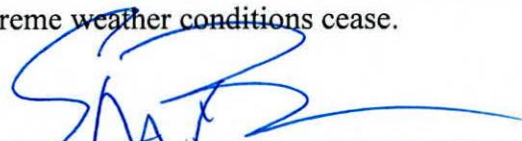
Section 8-401 (d) (2) (i) of the Real Property Article of Maryland Code states: "The administrative judge of any district may stay the execution of a warrant of restitution of a residential property, from day to day, in the event of extreme weather conditions."

Extreme weather conditions may apply to rain and/or snow, as well as, freezing temperatures.

Since evictions are scheduled by Sheriff's Departments for each county respectively, I hereby authorize the Sheriff of each county to stay the execution of warrants of restitutions in cases where evictions have been scheduled based on the follow criteria:

1. If the weather forecast for the following day is that the temperature throughout the following day will not exceed 32°, all evictions scheduled for that day should be cancelled.
2. If on the other hand the temperature does, at some time during the day, exceed 32°, evictions scheduled for that day may be carried out.
3. If on the scheduled day of the eviction or at the time of the eviction there is a severe snow storm or severe rain storm the eviction should be postponed until better weather conditions prevail.

Priority in rescheduling execution of warrants of restitution shall be given to those warrants where execution has been stayed because of extreme weather conditions and shall be completed within three (3) days after the extreme weather conditions cease.

  
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Erich M. Bean, Administrative Judge



**IN THE DISTRICT COURT OF MARYLAND FOR ALLEGANY COUNTY  
(DISTRICT 12-1)**

**District 12-1 Administrative Order No. 2025-1**

**(Stay of Evictions in Extreme Weather Conditions)**

WHEREAS, The Office of the Sheriff serves warrants of restitution of residential property in Allegany County, Maryland;

WHEREAS, Extreme weather conditions may occasionally exist that would impact the service of warrants of restitution of residential property;

WHEREAS, Section 8-401(f)(2)(i) of the Real Property Article of the Maryland Code indicates that “The administrative judge of any district shall stay the execution of a warrant of restitution of a residential property, from day to day, in the event of extreme weather conditions affecting the residential property” under certain conditions.

WHEREAS, Extreme weather conditions can include snow, excessive rain, freezing temperatures, extreme heat, or other weather events.

NOW, THEREFORE, it is this 17<sup>th</sup> day of January 2025 hereby:

ORDERED, that Sheriff Craig A. Robertson, or his designee, shall stay the execution of warrants of restitution in cases where evictions have been scheduled based on the existence of extreme weather conditions including, but not limited to, the following specifically listed in the statute:

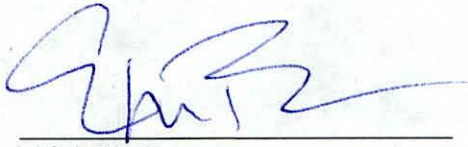
1. A temperature or next day forecasted temperature of 32 degrees Fahrenheit or lower;
2. A winter storm warning or blizzard warning issued by the National Weather Service;
3. A hurricane warning or tropical storm warning issued by the National Weather Service; and
4. An excessive heat warning issued by the National Weather Service.

ORDERED, that Sheriff Craig A. Robertson, or his designee, is authorized to use his discretion to determine whether the execution of a warrant of restitution should be postpone, if on the scheduled date and time, there is precipitation or precipitation is clearly imminent.

ORDERED, that if the execution of a warrant of restitution is postponed due to extreme weather, it should be rescheduled when better weather conditions prevail.

ORDERED, that priority in rescheduling the execution of warrants of restitution shall be given to those warrants where execution has been stayed because of extreme weather conditions.

ORDERED, that if Sheriff Craig A. Robertson, or his designee, is uncertain if the weather conditions meet the criteria described in this Order, the Sheriff, or the Sheriff's designee, shall contact the Administrative Judge, or his designee, for District 12 immediately, for the Administrative Judge for District 12, or his designee, to make the determination.



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Erich M. Bean  
Administrative Judge  
District Court of Maryland  
District 12  
Allegany County, Maryland

cc: The Honorable John P. Morrissey, Chief Judge, District Court  
Sheriff Craig A. Robertson, Office of the Sheriff for Allegany County  
H. Jack Price, Jr – Associate Judge  
Amy Bosley – Administrative Clerk, District 12