



DISTRICT COURT OF MARYLAND FOR

Located at

DRAFT 02

Park Owner Affixed on Mobile Home

Address Date

City State Zip Mailed to Resident

Resident Resident Constable/Sheriff

Resident Resident

Address Served on Party:

City State Zip

Date Date

FAILURE TO PAY RENT - PARK OWNER'S COMPLAINT FOR REPOSSESSION OF RENTED PROPERTY (REAL PROPERTY §8A-1701)

1. The property is a mobile home park lot described as: Maryland, Number Street Apt. City

2. Is the park owner required by law to be licensed/registered in order to operate this premises as a rental property? park owner currently licensed/registered License/Registration number if applicable:

3. The resident rents from the park owner, who asks for possession of the property based on the amount of rent and costs determined to be due. Park owner requests a money judgment (requires personal service).

4. This is is not a government subsidized tenancy. Resident is responsible to pay the following amount of rent: \$ due on the of the week month, which has not been paid or reduced to judgment.

As of today, rent is due for the weeks months of in the total amount of \$ Late charges accruing in or prior to the month in which the complaint was filed for the weeks months of are due in the amount of \$

5. TOTAL \$

6. The park owner requests the resident's right of redemption be foreclosed due to prior judgments. The case numbers and judgment dates within the past 12 months:

- All the residents on the lease are listed above.
At least one resident is in the military service.
No tenant is in the military service and the facts supporting this statement are:

Verified through DOD at: https://scra.dmdc.osd.mil/

Specific facts must be given for the court to conclude that each resident who is a natural person is not in the military I am unable to determine whether or not any resident is in the military service.

I do solemnly affirm under the penalty of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

Print Name of Signer (Park Owner/Attorney/Agent) Signature of Park Owner/Attorney/Agent Attorney Number/Party# Date

Address Telephone

Fax E-mail

Continued on Request of Reason

- Postponed at the request of:
The following parties appeared on:
Resident 2 Resident 3
Rent due and unpaid \$
Voluntary dismissal by:
Case dismissed Park Owner
Judgment for resident:
If applicable: Park Owner
Actual damages of \$
Execution stayed until

TO the Sheriff of this County or Constable of this Court: You are ordered to notify the resident, assignee, or subtenant, or their known or authorized agent, by personal service, if such service is requested by the park owner, to appear in the District Court at the trial of this matter to show cause why the demand of the park owner should not be granted. Personal service is to be performed at the property subject to this complaint or at any other known address. If the park owner has not requested personal service, or if at least one person to be served cannot be located and served, you shall affix an attested copy of the summons and complaint conspicuously on the subject property that is the subject of this suit and mail a copy of the summons and complaint to the resident, assignee, or subtenant by first class mail to the address specified by the park owner. In the case of a deceased resident, notify the occupant or next of kin of the deceased resident by the same procedure.

SUMMONS

TO the sheriff of this county / constable of this court: You are ordered serve this notice on the tenant, assignee, or subtenant, or their known or authorized agent in accordance with Real Property Article § 8-401(b)(3). In the case of a deceased tenant, you are to notify the occupant or next of kin of the deceased tenant in accordance with Real Property Article § 8-401(b)(6).

Judge/Clerk

Date

DC-CV-082 MH (Rev. 06/2022-10/2024)

For information about rental assistance programs or about the law that applies to your situation, contact the court's Self-Help Center. By phone: 410-260-1392 Online: https://mdcourts.gov/selfhelp Para obtener información sobre los programas de asistencia para pagar el alquiler o sobre la ley que se aplica en su situación, comuníquese con el Centro de autoayuda del tribunal. Por teléfono: 410-260-1392 En línea: https://mdcourts.gov/selfhelp



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Print Name of Signer (Park Owner/Attorney/Agent) Signature of Park Owner/Attorney/Agent Attorney Number/Party# Date

Address Telephone

Fax Continued on Request of E-mail Reason

TO the Sheriff of this County/ or Constable of this Court: You are ordered to notify the resident, assignee, or subtenant, or their known or authorized agent, by personal service, if such service is requested by the park owner, to appear in the District Court at the trial of this matter to show cause why the demand of the park owner should not be granted. Personal service is to be performed at the property subject to this complaint or at any other known address. If the park owner has not requested personal service, or if at least one person to be served cannot be located and served, you shall affix an attested copy of the summons and complaint conspicuously on the subject property that is the subject of this suit and mail a copy of the summons and complaint to the resident, assignee, or subtenant by first class mail to the address specified by the park owner. In the case of a deceased resident, notify the occupant or next of kin of the deceased resident by the same procedure.

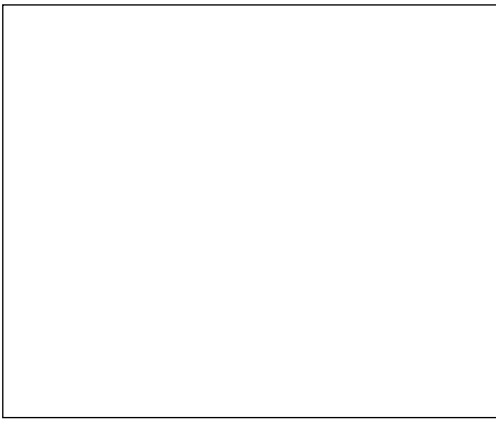
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Judge/Clerk Date



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Print Name of Signer (Park Owner/Attorney/Agent) Signature of Park Owner/Attorney/Agent Attorney Number/Party# Date

Address Telephone

Fax E-mail

Continued on Request of Reason

TO the Sheriff of this County/ or Constable of this Court: You are ordered to notify the resident, assignee, or subtenant, or their known or authorized agent, by personal service, if such service is requested by the park owner, to appear in the District Court at the trial of this matter to show cause why the demand of the park owner should not be granted. Personal service is to may be performed at the property subject to this complaint or at any other known address. If the park owner has not requested personal service, or if at least one person to be served cannot be located and served, you shall affix an attested copy of the summons and complaint conspicuously on the subject property that is the subject of this suit and mail a copy of the summons and complaint to the resident, assignee, or subtenant by first class mail to the address specified by the park owner. In the case of a deceased resident, notify the occupant or next of kin of the deceased resident by the same procedure.

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NOTICE: If the court awarded you money in addition to the judgment for possession, you have the right to obtain a lien on real property. Maryland Rule 3-621.

Judge/Clerk

Date

DC-CV-082 MH (Rev. 06/2022-10/2024)

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**RETURN OF PERSONAL SERVICE ON TENANT(S) (to be completed by process server)**

Case No. \_\_\_\_\_

I served a copy of Writ of Summons, Complaint, and all supporting papers by delivery \_\_\_\_\_,

\_\_\_\_\_, on \_\_\_\_\_ at \_\_\_\_\_

Title

Date

Time

Location

\_\_\_\_\_. The person I left the papers with acknowledged being: (1) a resident of the above listed

address; (2) 18 years of age or older; (3) of suitable discretion in that relationship to the defendant is \_\_\_\_\_

and that; (4) the above listed address is the defendant's residence or usual place of abode. The facts upon which I concluded that the individual

served is of suitable age and discretion are: \_\_\_\_\_

Description of the person served: Race \_\_\_\_\_ Sex \_\_\_\_\_ Eyes \_\_\_\_\_ Hair \_\_\_\_\_ Wt. \_\_\_\_\_ Age \_\_\_\_\_ Other \_\_\_\_\_

**\*FOR PRIVATE PROCESS SERVER ONLY:** Name: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone

I am at least 18 years of age. I solemnly affirm under the penalties of perjury that all information provided by me herein is true to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Sheriff/Constable/Private Process Server

\_\_\_\_\_  
Printed Name

## NOTICE TO THE TENANT

1. Your landlord has asked the court to evict you for failure to pay rent. Your case will be heard on the date and at the location shown on the other side. Before filing a complaint for failure to pay rent, the landlord is required to provide to the tenant a written notice of the landlord's intent to file a claim in the District Court against the tenant to recover possession of the residential premises if the tenant does not cure (pay rent and other costs due) within 10 days after the written notice is provided to the tenant. **To request a foreign language interpreter or reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.**

2. If service of process has been made upon you by posting and mailing, only a judgment for possession can be entered against you. However, if you are personally served then a money judgment may also be entered against you.

3. If you have an oral or written lease that requires the landlord to pay the gas or electric bill and you made payment(s) for utility service to a public utility provider and/or a security deposit or fee to open a new utility service account, the amount of those payment(s) can be deducted from the rent due.

4. **The court may include rent that becomes due after the filing of this complaint.** If you have not paid all the money due to your landlord by the trial date, the judge may determine that you owe additional rent that has become due through the date of judgment.

5. If you have paid the rent by the trial date, you should come to court on the trial date with your receipt and ask the court to dismiss the case.

6. If you have a defense or think you do not owe the rent, you should come to court and state the facts. You have a right to bring a lawyer to court with you. **BRING THIS PAPER WITH YOU TO COURT!**

7. If the court enters a judgment for the landlord and orders you to move out, the landlord may, on the fifth business day after the trial date, apply for a warrant for your eviction. Possession of the premises must be given to the landlord, or the landlord's agent or attorney, within 4 business days after the trial.

8. The warrant will be sent to the constable or sheriff who will then schedule an eviction if the rent has not been paid.

9. The court may issue a Warrant of Restitution at any time after 4 business days from the date of judgment.

10. You have a right to pay the amount due at any time until the eviction begins, unless the court has determined that because of the number of rent judgments which you have had in the past 12 months, you no longer have that right. The Warrant of Restitution which the sheriff or constable has will show whether the court has ordered "No Right of Redemption" which means you may not pay the amount due to stop the eviction. The amount you are to pay will be shown on the Warrant of Restitution which the constable or sheriff has. The court may issue a Warrant of Restitution at any time after 4 business days from the date of judgment.

11. Except in Baltimore City, the sheriff or constable will meet the landlord at the premises to conduct the eviction. Your personal property may be removed from the premises. The sheriff or constable is not responsible for protecting your property.

### IN BALTIMORE CITY ONLY

12. **Special notice requirements apply to evictions.** The landlord must provide notice to the tenant of the first scheduled eviction date in two separate ways:

- Mail the notice to the tenant by **first class mail with a certificate of mailing at least 14 days** in advance of the first eviction date; and
- **Post the notice on the premises at least 7 days** in advance of the first scheduled eviction date.
- The day of mailing or posting is Day 1. Day 14 must be no later than the day before the scheduled date of eviction. Count holidays and weekends. The tenant may challenge whether the notices were properly sent. If the tenant challenges the notices or if the sheriff has doubt that the notices were properly given, the sheriff will refer the issue to the judge for decision. If the judge determines that the landlord did not comply with the notice requirements, the eviction will be vacated/canceled and the landlord would be required to apply for a new Warrant of Restitution. If the notice challenge is determined in the landlord's favor, the sheriff will execute the eviction immediately. **On the day of the eviction** when the sheriff returns possession of the property to the landlord, any of the tenant's personal property left in or around the rental unit is considered abandoned. The tenant has no right to the property. The landlord's only obligation for abandoned property is to properly dispose of it.
- The landlord is strictly prohibited from putting the abandoned property in the street, the sidewalk, alleys, or on any public property. Anyone who illegally dumps abandoned property from an eviction is guilty of a misdemeanor and subject to a penalty of up to \$1,000 for each day of unlawful dumping.
- The landlord may dispose of the abandoned property by transporting it to a licensed landfill or solid waste facility, donating it to charity, or some other lawful means.

### APPEAL

You may file an appeal within 4 business days from the date of the judge's decision by filing a written request with the clerk of the District Court where the case was heard and paying the required appeal costs. (Any Saturday, Sunday or any legal holiday is not counted as part of the four day time period.) An appeal bond must be posted in order to stay any execution of the judgment. An appeal does not stay the payment of future rent or eviction.

### AVISO A LAS PERSONAS QUE HABLAN ESPAÑOL (NOTICE TO SPANISH SPEAKING INDIVIDUALS)

Esta es una denuncia por incumplimiento de pago de la renta. La traducción al español de este formulario se encuentra en el Internet en: [mdecourts.gov/sites/default/files/court-forms/district/forms/civil/dceev082bls.pdf/dceev082bls.pdf](http://mdecourts.gov/sites/default/files/court-forms/district/forms/civil/dceev082bls.pdf/dceev082bls.pdf)

El folleto informativo en español también se encuentra en el Internet en:

[mdecourts.gov/sites/default/files/court-forms/district/forms/civil/dceev082tbls.pdf/dceev082tbls.pdf](http://mdecourts.gov/sites/default/files/court-forms/district/forms/civil/dceev082tbls.pdf/dceev082tbls.pdf)

Usted también podrá llevar este formulario a la Oficina del Secretario del Tribunal de Distrito, a la dirección que aparece en la parte de arriba del reverso de este formulario, y el secretario le entregará una traducción impresa, el folleto en español y proporcionará la asistencia de un intérprete si es necesario. Para obtener información sobre los programas de asistencia para pagar el alquiler o sobre la ley que se aplica en su situación, comuníquese con el Centro de autoayuda del tribunal. Por teléfono: 410-260-1392 En línea: [mdecourts.gov/helpcenter](http://mdecourts.gov/helpcenter)

This is a complaint for failure to pay rent. A Spanish translation of this form is available on the Internet at:

[mdecourts.gov/sites/default/files/court-forms/district/forms/civil/dceev082bls.pdf/dceev082bls.pdf](http://mdecourts.gov/sites/default/files/court-forms/district/forms/civil/dceev082bls.pdf/dceev082bls.pdf)

A Spanish informational brochure is also available online at:

[mdecourts.gov/sites/default/files/court-forms/district/forms/civil/dceev082tbls.pdf/dceev082tbls.pdf](http://mdecourts.gov/sites/default/files/court-forms/district/forms/civil/dceev082tbls.pdf/dceev082tbls.pdf)

You may also take this form to the District Court Clerk's Office at the address at the top on the reverse side of this form and the clerk will provide you with the printed translation, Spanish brochure and Interpreter assistance, if needed. For information about rental assistance programs or about the law that applies to your situation, contact the court's Help Center. By phone: 410-260-1392 Online: [mdecourts.gov/helpcenter](http://mdecourts.gov/helpcenter)

## NOTICE TO THE RESIDENT

- ~~1. Your park owner has asked the court to evict you for failure to pay rent. Your case will be heard on the date and at the location shown on the attached complaint.~~
2. If you need an interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately.
3. The court may limit the use of cell phones and other electronic devices in certain areas of the courthouse.
- ~~4. If you were served with the complaint by either posting and mailing, only a judgment for possession can be entered against you. However, if you are personally served with the complaint then a money judgment may also be entered against you.~~
5. This complaint asks the court to evict you for not paying rent. If you have paid the rent by the trial date, you should come to court on the trial date with your receipt and ask the court to dismiss the case.
6. You have the right to go to court and be heard by a judge. The date and time of your hearing are stamped on the first page of this complaint.

### **If you decide to go to court:**

- Please be early and bring this paper with you.
  - If you have paid your rent and late fees by the trial date, bring your receipt, and show it to the judge when your case is called.
  - If you believe that you have paid your rent and fees in full or that the amount the park owner says you owe is wrong, bring proof with you.
  - If you believe that you have any other defense to this complaint, be prepared to state all the facts clearly to the judge.
  - You have the right to bring a lawyer with you to represent you at the hearing.
7. What happens next if the court enters a judgment for the ~~landlord~~ park owner?
- The court has entered a judgment for possession for the park owner: this means that you have lost your case.
  - If you don't pay the rent and late fees due within fifteen (15) business days, the court will sign a ~~w~~Warrant of ~~r~~Restitution if requested by the park owner. The court will send the warrant to the sheriff (constable in Baltimore County), who will schedule the eviction. An eviction includes the removal of the mobile home from the park owner's property.
  - The eviction will be cancelled if you pay all money due, including filing fees, before the eviction occurs, unless the judgment issued by the court is without right of redemption. See next paragraph.
  - If there have been three (3) prior judgments against you in rent court for this property in the past twelve (12) months, the judgment of possession will be without right of redemption. This means that even if you pay all money due before the date of eviction, the park owner can still evict you.
  - ~~• You have the right to appeal to the circuit court. File a notice of appeal with the clerk of the District Court no later than four (4) business days from the date of judgment. The court may require you to post a bond to keep the eviction from happening until after the circuit court decides your appeal. You must continue to pay rent during the appeal period.~~
  - On the day of the eviction, the sheriff or constable will meet the park owner and his/her workers at your home. The park owner's workers will remove the mobile home and any additions or attachments to it from the premises. The sheriff or constable is not responsible for protecting your property.
  - You have the right to appeal to the circuit court. File a notice of appeal with the clerk on the District Court no later than two (2) business days from the date of judgment. The court may require you to post a bond to keep the eviction from happening until after the circuit court decides your appeal. You must continue to pay rent during the appeal period.

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