

CHAPTER HEADINGS

Introduction

Landlord Files a Case

Trial in Rent Court

Right of Redemption

Let's Review

Introduction

Hello and welcome. When a landlord files a case against you for Failure to Pay Rent, the case will be heard in a Maryland District Court. These cases may result in an eviction. This video is the first part in a two-part series. In this first video, you will learn about the notices you will receive and what happens at a trial in rent court. Part two, discusses what happens if you lose the case and judgment is entered against you. If you still have questions after the video, speak with a lawyer about your case for free at a Maryland Court Help Center. Call 410-260-1392 or visit mdcourts.gov/helpcenter. Let's get started.

Landlord Gives Notice

Before going to court, your Landlord must give you a written notice of their intention to file a case for Failure to Pay Rent. The notice must give you 10 days to pay the past due rent. It may arrive by mail or be taped to your door. If you agreed to receive electronic messages from your landlord, it may arrive by email, text message, or a tenant web portal.

Landlord Files a Case

After the ten days in the notice have passed, your Landlord may file paperwork at the District Court. When this happens, copies will be sent to you by mail and posted at your home. Check the upper right-hand corner of the paperwork you receive for your trial date.

The paperwork may contain information about free legal help. You may qualify for a lawyer to represent you for free at your trial.

You are not required to appear at the trial; however, attending is strongly encouraged. If you fail to appear the court may automatically give your landlord a judgment the amount of rent your landlord claimed was due.

Trial in Rent Court

On your trial date, try to arrive early. You may speak with your landlord or their rent court agent before the case is called. If you and the landlord or their agent agree to a payment plan or some other agreement, do not leave the courthouse. Stay until your case is called and the judge is informed about the agreement.

When your case is called, the judge may first ask if you agree that you owe the rent. You may agree and consent to the entry of a judgment or you may ask for a trial. In a trial, the landlord must prove how

much rent is due under your lease. They may be required to show a rental ledger. This is a record of rent you have paid up until now. You will have an opportunity to present your side of the story. If you disagree about how much rent is due, bring receipts or other proof of payment. If the landlord does not hold required rental licenses issued by your City, County or by the Maryland Department of the Environment, you can raise that as a defense. A landlord who does not have a license, if required, cannot collect using the court process.

If you did not pay your rent because the property is unsafe or a danger to your health, you may ask the judge to allow you to pay your rent into an escrow account until the repairs are made. See our video on “Rent Escrow” for more information about how this works.

At the conclusion of the trial, the judge will announce their decision. If you disagree with the decision, you have four business days, not counting the day of trial, to file an appeal. You may be required to pay a bond in order to remain in the property while the appeal is pending.

Right of Redemption

One more thing before we review. In most rent court cases, you have what is called the right of redemption. This means that if you lose the case, you can pay the outstanding judgment to stop an eviction. In some cases, the court will take away your right of redemption based on past judgments. The court will only take away your right of redemption if three judgments for rent were entered against you in the past 12 months. In Baltimore City, if you have had four judgments in the last 12 months then your landlord can request the court take away your right of redemption.

Let’s Review

Let’s review what you have learned. When a landlord asks the court for a judgment for unpaid rent, and for the right to have you evicted, the case is heard in rent court in the District Court of Maryland. The Landlord must provide you with notice before they file a case. Once they file, the court will send notices with a trial date listed in the upper righthand corner. If you either fail to appear or lose the case at trial, the landlord may take steps to evict you. In most cases, you have the right of redemption, meaning you can pay the balance of rent due to stop the eviction. The court will only take away your right of redemption if you have three judgment for rent in the past 12 months. In Baltimore city, the number of prior judgments is four.

One more thing. If you have questions, speak with a lawyer for free at a Maryland Court Help Center by calling 410-260-1392. A list of walk-in locations and live chat service can be found at mdcourts.gov/helpcenter.

We hope this information has been helpful and thank you for watching.