



District Court of Maryland

Office of the Chief Judge

187 HARRY S. TRUMAN PARKWAY, ANNAPOLIS, MARYLAND 21401

TELEPHONE: 410-260-1525

John P. Morrissey

June 30, 2021

COMMUNICATION REGARDING THE CDC AGENCY ORDER AND LANDLORD/TENANT ACTIONS

CDC Agency Order

The CDC agency order regarding evictions that became effective on September 4, 2020 has been extended and now expires on July 31, 2021. The CDC order can be found here:

<https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html>.

This defense, if applicable, may be raised by motion or at trial in any residential failure to pay rent case that may have been initiated prior to September 4, 2020 but is not completed up to and including July 31, 2021.

If a tenant is successful in asserting this defense, the court will determine the merits of the case and/or the amount that is due for possession, but will reserve entry of judgment until such time as the judgment is not prohibited by the CDC agency order. Upon expiration of the CDC agency order, the court, without request from any party, will enter each judgment for possession that was reserved by the court. The clerk will mail a copy of the judgment for possession to all parties to the action.

The landlord has a continuing duty to inform the court of any payments made by the tenant while the case is pending or is reserved. Upon the filing of a request for a warrant of restitution for a case in which a reserved judgment is entered, the clerk will set the request for a hearing within 21 days with notice to all parties. If the warrant for restitution is ordered by the court, the clerk will mail the order to all parties to the action.

A tenant has the right to prevent the eviction by paying the amount that the court determined to be due in the judgment for possession. If a tenant has made payments since the court made its determination but the landlord does not agree, the tenant should file a motion with the court and the court will determine the proper amount. However, if the court has ordered possession without the right of redemption, a tenant may not remain on the premises, unless the tenant and the landlord agree in writing that the tenant may stay.

Additional Information

Maryland Governor Larry Hogan's Executive Order on evictions was renewed, will remain in effect until August 15, 2021, and can be found here: <https://governor.maryland.gov/covid-19-pandemic-orders-and-guidance/>. Upon expiration, any judgments reserved per the executive order will be handled in the same manner as the CDC agency order.

There are government programs available that may be able to assist both landlords and tenants with rental assistance. Both landlords and tenants are strongly encouraged to contact their state and local governments to determine what resources may be available. The Maryland Judiciary's Help Centers may be able to help and are staffed by trained attorneys and provide brief free legal advice on all civil matters, including questions regarding landlord/tenant proceedings. For more information, please call 410-260-1392 or visit <https://mdcourts.gov/selfhelp>.