

# HOUSE BILL 284

N1, O2

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By: **Delegates B. Robinson, Buckel, Jalisi, and Sophocleus**

Introduced and read first time: January 26, 2016

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Senior Apartment Facilities – Limitation on Occupancy by Person Convicted of**  
3 **Crime of Violence**

4 FOR the purpose of prohibiting under certain circumstances a landlord from renting a unit  
5 to a certain individual or allowing a certain individual to reside in a unit in a senior  
6 apartment facility that is located on the same floor on which a vulnerable adult  
7 resides; providing for enforcement by the Division of Consumer Protection of the  
8 Office of the Attorney General; establishing that a landlord of a senior apartment  
9 facility shall be liable for damages for any injury to or loss incurred by a vulnerable  
10 adult as a result of a violation of this Act; and generally relating to senior apartment  
11 facilities.

12 BY adding to  
13 Article – Real Property  
14 Section 8–217  
15 Annotated Code of Maryland  
16 (2015 Replacement Volume)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
18 That the Laws of Maryland read as follows:

19 **Article – Real Property**

20 **8–217.**

21 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
22 **INDICATED.**

23 **(2) “CRIME OF VIOLENCE” HAS THE MEANING STATED IN § 14–101 OF**  
24 **THE CRIMINAL LAW ARTICLE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(3) “SENIOR APARTMENT FACILITY” MEANS AN APARTMENT**  
2 **BUILDING OR COMPLEX THAT:**

3                   **(I) CONTAINS FOUR OR MORE INDIVIDUAL DWELLING UNITS;**  
4 **AND**

5                   **(II) IS HOUSING FOR OLDER PERSONS AS DEFINED IN 42 U.S.C.**  
6 **§ 3607.**

7           **(4) “VULNERABLE ADULT” HAS THE MEANING STATED IN § 3-604 OF**  
8 **THE CRIMINAL LAW ARTICLE.**

9           **(B) A LANDLORD MAY NOT RENT A UNIT TO AN INDIVIDUAL OR ALLOW AN**  
10 **INDIVIDUAL TO RESIDE IN A UNIT IN A SENIOR APARTMENT FACILITY THAT IS**  
11 **LOCATED ON THE SAME FLOOR ON WHICH A VULNERABLE ADULT RESIDES IF THE**  
12 **INDIVIDUAL:**

13                   **(1) HAS BEEN CONVICTED OF A CRIME OF VIOLENCE; AND**

14                   **(2) WITHIN 1 YEAR BEFORE MOVING TO THE SENIOR APARTMENT**  
15 **FACILITY, HAS BEEN RELEASED FROM INCARCERATION AFTER SERVING A**  
16 **SENTENCE OF IMPRISONMENT FOR THAT CONVICTION.**

17           **(C) TO THE EXTENT THAT A VIOLATION OF THIS SECTION AFFECTS A**  
18 **TENANT OF A SENIOR APARTMENT FACILITY, THAT VIOLATION SHALL BE WITHIN**  
19 **THE SCOPE OF THE ENFORCEMENT DUTIES AND POWERS OF THE DIVISION OF**  
20 **CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL, AS**  
21 **DESCRIBED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.**

22           **(D) A LANDLORD OF A SENIOR APARTMENT FACILITY SHALL BE LIABLE FOR**  
23 **DAMAGES FOR ANY INJURY TO OR LOSS INCURRED BY A VULNERABLE ADULT AS A**  
24 **RESULT OF A VIOLATION OF THIS SECTION.**

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2016.