IN THE COURT OF APPEALS OF MARYLAND

ADMINISTRATIVE ORDER ON SUSPENSION DURING THE COVID-19 EMERGENCY OF FORECLOSURES, EVICTIONS, AND OTHER EJECTMENTS INVOLVING RESIDENCES

WHEREAS, Pursuant to the Maryland Constitution, Article IV, § 18, the Chief Judge of the Court of Appeals is granted authority as the administrative head of the Judicial Branch of the State, including the closing of courts in the State of Maryland and non-court judicial facilities; and

WHEREAS, The Court of Appeals has approved Chapter 1000 of Title 16 of the Maryland Rules of Practice and Procedure setting forth the emergency powers of the Chief Judge of the Court of Appeals; and

WHEREAS, In instances of emergency conditions, whether natural or otherwise, that significantly affect access to or the operations of one or more courts or other judicial facilities of the State or the ability of the Judiciary to operate effectively, the Chief Judge of the Court of Appeals may be required to determine the extent to which court operations or judicial functions shall continue; and

WHEREAS, Due to the outbreak of the novel coronavirus, COVID-19, and consistent with guidance issued by the Centers for Disease Control, an emergency exists that poses a threat of imminent and potentially lethal harm to individuals who may come into contact with a court or judicial facility and personnel; and

WHEREAS, The Administrative Order on Statewide Judiciary Restricted Operations Due to the COVID-19 Emergency filed March 16, 2020, authorizes the courts'

consideration or resolution of matters that can be addressed without a proceeding that involves testimony or argument; and

WHEREAS, Foreclosures of residential properties, foreclosures of the rights of redemption of residential properties, executions on residential real property under levy or subject to a lien, and actions for possession (ejectments) of residential properties by ground lease holders present the strong likelihood of creating undue hardship if completed during the pendency of the emergency,

NOW, THEREFORE, I, Mary Ellen Barbera, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, do hereby order this 25th day of March 2020, as follows:

(a) All proceedings related to foreclosures of residential properties, foreclosures of the rights of redemption of residential properties after a tax sale, executions on residential real property under levy or subject to a lien, and actions for possession (ejectments) of residential properties by ground lease holders pending in the circuit courts shall be stayed effective immediately, subject to the exception noted in (d); and

(b) Residential eviction matters pending in the District Court of Maryland and all pending residential eviction orders shall be stayed effective immediately; and

(c) New foreclosures of residential property, foreclosures of rights of redemption of a residential property after a tax sale, actions for possession (ejectments) of residential properties by ground lease holders, executions on residential real property under levy or subject to a lien, and all other actions for possession (residential evictions) shall be stayed upon filing; and

(d) Where the parties can demonstrate that a delay of a residential foreclosure will place an undue burden on the defendant, a consent motion to lift stay to allow ratification, signed by the defendant, shall be considered on an expedited basis; and

(e) To the extent that this Administrative Order conflicts with extant Administrative Orders, local judicial orders or memoranda, this Administrative Order shall prevail; and

(f) The Administrative Order on Suspension of Foreclosures and Evictions During the COVID-19 Emergency filed on March 18, 2020, shall be and hereby is rescinded; and

(g) This Administrative Order will be revised as circumstances warrant.

/s/ Mary Ellen Barbera
Mary Ellen Barbera
Chief Judge
Court of Appeals of Maryland

Filed: March 25, 2020

/s/ Suzanne C. Johnson
Suzanne C. Johnson
Clerk
Court of Appeals of Maryland

Pursuant to Maryland Uniform Electronic Legal Materials Act
(§§ 10-1601 et seq. of the State Government Article) this document is authentic.

Suzanne Johnson
2020-03-25 18:12-04:00

Suzanne C. Johnson, Clerk