District Court of Maryland
Office of the Chief Judge
187 HARRY S. TRUMAN PARKWAY, ANNAPOLIS, MARYLAND 21401
TELEPHONE: 410-260-1525
John P. Morrissey

March 30, 2021

COMMUNICATION ON CDC AGENCY ORDER AND LANDLORD TENANT ACTIONS

CDC Agency Order

The CDC issued an agency order regarding evictions that became effective on September 4, 2020. As of March 28, 2021, the CDC has extended the agency order to remain in effect until June 30, 2021.

The CDC order can be found here: https://www.cdc.gov/coronavirus/2019-ncov/covid-eviction-declaration.html. A sample affidavit is included.

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 yet completed. 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 landlord has a continuing duty to inform the court of any payments made by the tenant while the case is pending or is reserved and must affirm under oath as to the amount then due and owing based on the reserved judgment should the landlord file a petition for a warrant of restitution. Each judge will determine the sufficiency of the evidence provided.

Additional Information

Maryland Governor Larry Hogan's Executive Order on evictions was renewed on December 17, 2020 and can be found here: https://governor.maryland.gov/covid-19-pandemic-orders-and-guidance/. The Governor's Order will remain in effect until such time as the state of emergency is lifted or it is amended.

A new failure to pay rent complaint form became effective October 1, 2020. The new DC-CV082 form can be found online at https://mdcourts.gov/district/forms or can be requested from the clerk's office. If you are requesting a large quantity of forms, please use:
https://mdcourts.gov/sites/default/files/court-forms/district/forms/acct/dca040.pdf/dca040.pdf.

The District Court of Maryland continues to explore and coordinate with other state and local government agencies that are providing COVID-19 relief to tenants and/or landlords. There are government programs available that may be able to assist both landlords and tenants as the result of COVID-19. Both landlords and tenants are encouraged to contact their state and local governments to determine what resources may be available. The Maryland Judiciary's Help Centers have compiled a list by county of COVID-19 resources available to both landlords and tenants. The Help Centers 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 contact the Maryland Judiciary's Help Centers at 410-260-1392 or https://mdcourts.gov/selfhelp.