

**HB0452/570410/1**

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 452  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “that” insert “, to the best of the landlord’s knowledge,”; and in line 7, after “kin;” insert “establishing certain notice and service of process requirements,”.

AMENDMENT NO. 2

On page 2, in line 14, after “THAT” insert “, TO THE BEST OF THE LANDLORD’S KNOWLEDGE,”.

AMENDMENT NO. 3

On page 3, after line 34, insert:

**“(6) (1) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPHS (3) THROUGH (5) OF THIS SUBSECTION, IF THE LANDLORD CERTIFIES TO THE COURT IN THE WRITTEN COMPLAINT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT, TO THE BEST OF THE LANDLORD’S KNOWLEDGE, THE TENANT IS DECEASED, INTESTATE, AND WITHOUT NEXT OF KIN, THE DISTRICT COURT SHALL ISSUE ITS SUMMONS, DIRECTED TO ANY CONSTABLE OR SHERIFF OF THE COUNTY ENTITLED TO SERVE PROCESS, AND ORDERING THE CONSTABLE OR SHERIFF TO NOTIFY THE OCCUPANT OF THE PREMISES OR THE NEXT OF KIN OF THE DECEASED TENANT, IF KNOWN, BY PERSONAL SERVICE:**

**1. TO APPEAR BEFORE THE DISTRICT COURT AT THE TRIAL TO BE HELD ON THE FIFTH DAY AFTER THE FILING OF THE COMPLAINT; AND**

(Over)

**2. TO ANSWER THE LANDLORD'S COMPLAINT TO SHOW CAUSE WHY THE DEMAND OF THE LANDLORD SHOULD NOT BE GRANTED.**

**(II) 1. THE CONSTABLE OR SHERIFF SHALL PROCEED TO SERVE THE SUMMONS UPON THE OCCUPANT OF THE PREMISES OR THE NEXT OF KIN OF THE DECEASED TENANT, IF KNOWN, AS FOLLOWS:**

**A. IF ANY OF THE PERSONS WHOM THE SHERIFF IS DIRECTED TO SERVE ARE FOUND ON THE PROPERTY OR AT ANOTHER KNOWN ADDRESS, THE SHERIFF SHALL SERVE ANY SUCH PERSONS; OR**

**B. IF NONE OF THE PERSONS WHOM THE SHERIFF IS DIRECTED TO SERVE ARE FOUND ON THE PROPERTY OR AT ANOTHER KNOWN ADDRESS, THE CONSTABLE OR SHERIFF SHALL AFFIX AN ATTESTED COPY OF THE SUMMONS CONSPICUOUSLY UPON THE PROPERTY.**

**2. THE AFFIXING OF THE SUMMONS UPON THE PROPERTY SHALL CONCLUSIVELY BE PRESUMED TO BE A SUFFICIENT SERVICE TO ALL PERSONS TO SUPPORT THE ENTRY OF A DEFAULT JUDGMENT FOR POSSESSION OF THE PREMISES, TOGETHER WITH COURT COSTS, IN FAVOR OF THE LANDLORD, BUT IT SHALL NOT BE SUFFICIENT SERVICE TO SUPPORT A DEFAULT JUDGMENT IN FAVOR OF THE LANDLORD FOR THE AMOUNT OF RENT DUE.**

**AMENDMENT NO. 4**

On page 7, in line 5, strike "REGARDLESS OF" and substitute "NOTWITHSTANDING"; and in line 7, after "THAT" insert ", TO THE BEST OF THE LANDLORD'S KNOWLEDGE,".