

Bond Case Briefs

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EMINENT DOMAIN - MARYLAND

Wireless One, Inc. v. Mayor and City Council of Baltimore

Court of Appeals of Maryland - August 23, 2019 - A.3d - 2019 WL 3980791

Former commercial tenant in city-owned market brought action against city and related defendants to be compensated for relocation expenses after it vacated its space after a rental agent for the market informed tenant that its business did not fit into redevelopment plans for the market.

The District Court dismissed action. Former tenant appealed. The Court of Special Appeals affirmed. Former tenant petitioned for a writ of certiorari.

The Court of Appeals held that former tenant was not a “displaced person” under statute allowing for relocation assistance for persons displaced as a result of government acquisition of property by eminent domain.

Former commercial tenant in city-owned market was not a “displaced person” under statute allowing for relocation assistance for persons displaced as a result of government acquisition of property by eminent domain; although tenant vacated its space after a rental agent for the market informed tenant that its business did not fit into redevelopment plans for the market, tenant voluntarily terminated its lease before any action by city or company that city used to operate the market to terminate the lease, and tenant’s lease began well after city had acquired the market.