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HB 20

Real Property -Residential Rental Property -Annual Eviction Moratorium Hearing before the Environment and Transportation Committee, Jan. 28, 2020

Position: SUPPORT

Public Justice Center (PJC) is a non-profit, civil legal services provider that provides advice and representation to over 700 tenants throughout Maryland each year. Eviction is a top concern of the renters who seek PJC's assistance. Under current law (Real Prop. art. ("RP") § 8-401), courts have extremely limited powers to stay an eviction – even during “the holidays.”

A court may stay execution of judgment for up to 15 days if eviction would endanger the tenant's life or health, as certified by a physician. A court may also stay execution of a warrant “from day to day” in the event of extreme weather conditions. But for other exigent circumstances, tenants have no recourse but to pay to stay (if their right of redemption is not foreclosed) or to leave. At year's end, and into the new year, tenants may find that offices are closed at charitable and governmental agencies that would otherwise assist a renter facing eviction. Leasing offices, too, may be closed, adding delay to the renter's urgent search for new housing. Many find that movers are not answering the phones, and their friends and family are away or unable to help them move.

HB 20 is a reasonable, urgently needed fix that adds not only a measure of dignity and compassion to the state's eviction law, but also recognizes the practical impediments that make vacating a property in late December and early January sometimes impossible. The bill would essentially “stay” eviction orders during this difficult period between December 18 of the ending year and January 8 of the new one. Some sheriffs, such as the Sheriff of Baltimore City, have implemented a similar moratorium at their agency's discretion. Despite handling around 70,000 warrants for scheduling and execution each year, Baltimore City has demonstrated that a time-limited moratorium has no dire consequences. It simply helps people at a time when helping should be the rule.

HB 20 sets forth a consistent moratorium across the state and helps to minimize the harm of eviction. **Please issue a report of FAVORABLE on HB 20.** If you have any questions, please contact Zafar Shah, shahz@publicjustice.org, (410) 625-9409, ext. 237.

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.