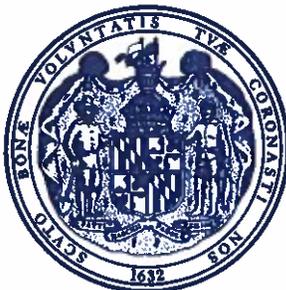


# Baltimore City Sheriff's Office

John W. Anderson, Sheriff

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March 10, 2020

To: The House of Delegate's Environment and Transportation Committee

From: The Baltimore City Sheriff's Office

Re: **HB 768** - Baltimore City - Repossession for Failure to Pay Rent - Registration and License Information

Position: **Support**

Landlords in Baltimore City are required to conduct lead inspections and be licensed through the City of Baltimore's (COB) rental housing licensing process as administered by the City's Department of Housing & Community Development (BCHCD). The landlord licensing process includes a yearly safety inspection and validation of the properties' lead safety certification.

A loophole exists that allows unlicensed landlords who are in violation of the law requiring licensing and lead certification, to use the District Court of Maryland to evict their tenants in the same manner as a licensed landlord with disregard for the licensing requirements that protect and advance the safety of our communities. Current law does not adequately require the landlord to establish they are licensed and lead compliant prior to using the court system. The District Court performs no validation process on landlords or their agents. The current forms used for filing evictions with the court is not comprehensive enough to prevent fraud. Unlicensed landlord can fabricate a license number, use a number from a different property or use an invalid historic expired number.

As the new Baltimore City Rental Registration law came into effect last year:

- The Sheriff's Office identified numerous cases of possible fraud in the filing of evictions because it was now possible to cross reference evictions scheduled with the Sheriff's Office with the BCHCD website for compliance. Prior to this there was not a method to determine compliance. The BCHCD property registration search page of their public website allows anyone to enter an address into a search bar and immediately determine if the property is or is not registered.
- The Sheriff's Office has detected a high level of unlicensed landlords scheduling evictions with our Office. For example, as recently as 02/06/2020 the Sheriff's Office identified ten scheduled evictions in one day where the property was not licensed as required by law.
- The Sheriff's Office should not be called to enforce the law and expend resources to evict tenants when the landlord is breaking the law by not being licensed and failing to conduct lead safety inspections. Rather than placing a burden on the law enforcement to reactively go after landlords that are bad actors, this law

proactively prevents the opportunity to commit fraud. This is significantly less costly than the investigation and prosecution of this type of fraud.

- The Sheriff's Office takes the position that, lead paint poisoning is a criminal justice issue. We are aware that a significant number of individuals incarcerated for violent crime have had elevated lead levels. The lead inspection laws and property licensing laws are geared at preventing lead paint poisoning and the harm that occurs as a result.

**This legislation, by closing a loophole, will reduce the ability to commit fraud and bring more landlords into compliance thus creating safer housing for Baltimore residence. The fiscal cost of lead paint poisoning and the criminal justice issues that are causal towards the resulting behavioral disorder are immeasurable.**