

The Law Offices of Darlyn R. McLaughlin

Client-Centered Legal Representation

P.O. Box 96
Westminster, MD 21158
Office: 443.896.6543
Facsimile: 888.398.1436

Darlyn R. McLaughlin
Attorney at Law
darlyn@mdlpractice.com

February 15, 2021

Opposition to SB 910/ HB 1312

Unless one has been in the trenches with the landlords, property managers and/or the attorneys that represent these parties, one cannot fully understand the negative impact and unintended consequences of this bill.

First, the costs inherent in managing a rental property, whether by an individual or a company, far exceed what is paid at the time of filing and owed in unpaid rent and utilities. Legal fees and loss time at work compounded by the acrimonious relationships that are likely to develop just in seeking unpaid rent, utilities and/or repossession of the property. This often results in retaliatory actions by the tenants through destruction of property. The eviction moratorium is the precursor to even greater hardships for all involved. Landlords cannot repair the property as needed, as no rent has been collected. Tenants cause violations for failure to maintain the yard or maintain lids on trash cans without considering the consequences to the health and safety of the community, as passive aggressive behavior in defiance for requests for unpaid rent and/or utility bills. Violations go unpaid too and rapidly escalate as the fines are doubled, and then doubled again for lack of payment and the cycle goes on. For many landlords, their work is being a landlord. That is their nest egg, their income and or the future of their ability to maintain the mortgage until the obligation is paid or even their own household. What of their plight? Many of the offending tenants have owed money since BEFORE March 2020 and the promulgations of eviction moratoriums.

Second, the programs that were initiated last year to assist tenants in the payment of their rent were mismanaged at best and not insolvent rapidly. Monies were paid to Tenants in huge sums and many landlords were snubbed receiving none of the distributions. Instead, tenants texted their landlords saying "I just got \$7500 from the County, but I'm not giving it to you.... I'm buying a car." Monies considered for distribution toward rent forgiveness at 80% of the amount owed to landlords should be made out to the landlords on the condition that within a set time, say 10 days, the landlord must upload a rent ledger showing the balance owed, how the monies were applied and provide same to the tenant by email, first class mail and/or posting on the rental property.

Finally, though this in no way covers all the flaws and horrific financial ruin for the small landlord property owner, utilities cannot not be a forgiven amount on the bill. Many tenants owe thousands in water bills from years of none payment long before COVID. This is simply unconscionable.

Be careful what you ask for. Landlords provide homes to those who need homes. Most are responsible persons doing the best they can to maintain relationships with their tenants while striving to maintain safe living conditions. Property managers and landlords alike are threatened regularly with harm to their property or loss of income, due to tenants who simply do not have the social skills to get along with others, especially those who are in some way in authority over their way of life. Many property owners are curtailing offerings of rental properties and seeking to sell. The properties will be boarded up or sold for much less than they are worth and the cycle will continue. Taxes won't be collected on the income and crime will go up as abandoned properties will become a haven for criminal/drug activities.

As to the "Just cause" provision, just cause is often impossible to prove, such as subletting rooms or portions of the rental to transients and others at the detriment of the landlords' properties and posing a risk for many who are in unsafe living conditions in basements, crowded and unsanitary residences while housed in close quarters with others. The tenants merely deny any such activities and easily hide or explain away the evidence until the inspector is gone.

Those who work and don't pay rent are flaunting their disdain for their landlords, protected by the unjust moratorium as the unpaid rent and utilities totals soar out of control. Eviction procedures are deterrence to tenants, enforcing the rule of law to pay rental obligations. Remove the deterrence, they feel little to no obligation. Provide legal protection to landlords and tenants alike. FURTHER DELAYS caused by lengthy paperwork and cumbersome mediation processes only compound the problem.

PLEASE OPPOSE SB910 cross filed as HB1312.

Respectfully Submitted,

Darlyn R. McLaughlin