March 29, 2022

TO: The Honorable Kumar Barve
              Chair, Environment & Transportation Committee

FROM: Marc Elrich
              County Executive

RE: SB 384, Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance
              Determination, Support

Senate Bill 384 furthers Montgomery County's priority to mitigate eviction and keep residents housed as it would require the District Court to stay proceedings in an action for failure to pay rent while the tenant seeks rental assistance from a rental assistance program.

Under the bill, in an action to repossess a premises for failure to pay rent, if the tenant provides the court evidence that the tenant is currently waiting for a determination in response to a rental assistance application, the court must stay the proceeding if a judgment has not been entered, or, if judgment is entered in favor of the landlord, stay any warrant of restitution or order to surrender the premises until the rental assistance application is resolved and any funds are disbursed. A stay may not exceed 35 days under the bill and the bill sunsets on September 30, 2025.

Senate Bill 384 is necessary and common sense: it allows rental assistance programs throughout the state the time necessary to fulfill their purpose of providing qualified tenants with the financial assistance they need in order to remain in their homes. By staying proceedings until the outcome of an emergency rental assistance program application is determined, tenants will remain housed and avoid the myriad negative impacts of losing possession of their home while help is on the way. I support the State using the policy tools available to encourage proper utilization of emergency rental assistance programs by both landlords and tenants. Helping tenants stay in their homes is vitally important; displacement is not good for families or the community, and this bill helps prioritize stable housing. I respectfully urge the committee to issue a favorable report.