

Dear Members of the Senate Judicial Proceedings Committee,

I am a resident of District 21. I am a member of Showing Up for Racial Justice Annapolis and Anne Arundel County. I believe that democracy works better for everyone when we respect the rule of law. **I am testifying in support of Senate Bill 563.**

SB 563 would do two things. First, it requires landlords to show their valid rental license at the trial of any residential eviction action, except those facilitated by actions of a tenant that “*demonstrates a clear and imminent danger*” to themselves or others. Secondly, in those cases, the bill enables courts to judge in favor of the tenant and award costs and expenses for any bad faith filings by the landlord to evict them on these grounds. This is to ensure unlicensed landlords don’t use this exception as a low-stakes back channel for evicting tenants on false pretenses and bypassing the intent of the first provision.

While rental licenses are necessary to lawfully operate rental properties in most Maryland counties and cities, unlicensed landlords operating unlawfully are still entitled to specialized eviction proceedings without proof of a valid license. This system incentivizes non-compliance with local laws and hampers efforts to ensure rental housing is safe. An egregious example of the nonsensical system this creates is evidenced in *Velicky v. Copy Cat Building*, where the court held that unlicensed landlords can utilize Tenant Holding Over eviction actions even when turned away for failure to Pay Rent Actions.

If there is a social contract established by the courts, that those filing actions before them are good faith actors, then allowing folks who are violating one statute that inconveniences them, while demanding the other be enforced on their behalf is an immense level of hypocrisy. The fact that our current legal system enables such hypocrisy is a truth that can only be reconciled by assuming the court system was made for the sole benefit of the haves against the have-nots. This hypocrisy must be ended, because the consequences for eviction and unsafe housing are cruel and unjust.

For example, the fire that took the lives of 17 people in New York last month was enabled by below-code operations that were known and allowed to continue. Everything from poorly-functioning heating which required tenants to use their own supplemental heat, to faulty doors that didn’t close themselves, allowed the fire to start and smoke to spread throughout the building. This occurred in a building where landlords had some degree of oversight in place. A system that enables landlords to operate business as usual with no oversight is inevitably headed towards a darker conclusion.

It is for these reasons that I am encouraging you to vote **in support of SB 563.**

Thank you for your time, service, and consideration.

Sincerely,

Linda K. Girdner
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