



TESTIMONY IN SUPPORT OF SB 504

Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Just Cause Termination Provisions

*Senate Judicial Proceedings Committee,
March 7, 2023 at 1:00PM*

Position: SUPPORT (FAV)

Presented By Mark Huffman and Kali Schumitz, Co-chairs

Member Agencies:

211 Maryland

Baltimore Jewish Council

Behavioral Health System Baltimore

CASH Campaign of Maryland

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Marylanders Against Poverty (MAP) strongly supports SB 504, which provides enabling legislation that would give clear legislating power to Maryland counties to establish "just cause" or "good cause" limitations on lease non-renewals. This bill expressly grants authority to counties to decide when it is appropriate for rental agreements to be non-renewed. That means local policymakers would be able to determine the kind of "just cause" policy their locality needs, whether by type of building, for certain populations, or under certain circumstances such as a state of emergency. Without SB0504, local efforts are stymied by legal concerns around preemption. We urge the Committee to move SB0504 favorably so that local government can act with clear authority on this issue.

What is "just cause" policy?

When it comes to lease non-renewals, Maryland is currently a "no cause" state – that is, a landlord can decide to non-renew without any stated cause. This means that working people and their children face the constant threat of displacement, even when they follow all the rules. They are under constant pressure to accept declining conditions and increasing rents just to stay in their communities.

In addition, this "no cause" system became particularly problematic during the pandemic when landlords used this to get around the public health federal eviction moratorium. While they could not evict tenants for non-payment of rent, landlords could allow the tenant's lease to expire and then evict them for tenant holding over. Aside from the trauma of eviction and homelessness this brought about, untold numbers of lives were lost due to the increased spread of the virus that resulted.

SB0504 enables Maryland counties to pass local "just cause" laws that limit lease non-renewals. "Just cause" means that a landlord must have an acceptable reason for choosing not to renew an expiring lease. SB0504 defines what "just cause" is, but does not impose specific contours for just cause to permit counties to decide. Instead, the SB0504 provides a list of options for what "just cause," as adopted by a county, may include, such as substantial lease violations, illegal activities, removal of the property from the market, or personal use of the property by the owner. SB0504's list reflects the policies of other U.S. jurisdictions that have enacted just cause policy. *To be clear, this is a list that localities are free to adopt or change, as localities see fit.*

Where is the interest in "just cause eviction"

Since 2008, just cause eviction legislation has been introduced 8 times – including multiple statewide bills, as well as bills specific to Prince George's County and

Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals until 6 months after the state of emergency's end. These efforts demonstrate a sustained desire in Maryland localities for just cause policies.

Washington, D.C. (since 1985) and Philadelphia (since 2018) have adopted just cause eviction policies, as well as the state of New Jersey (since 1974). New Jersey's policy endeavor over many decades demonstrates that the benefit of just cause far outweighs the hypothetical that it hurts development. . ["Something in the Garden State is clearly working. According to data from the Eviction Lab, New Jersey cities such as Trenton, Paterson, Jersey City, and West New York have among the lowest eviction rates in the country. Meanwhile, construction is absolutely exploding."](#)

Additionally, looking at 4 localities in California, a [2019 Princeton/Eviction Lab](#) study finds that "just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution."

SB0504 recognizes that local legislatures want to aid their renters in achieving stable housing so that they are able contribute long-term to the workforce and the local economy. Requiring just cause as a precondition for an eviction can be a tailored policy that boosts the stability of the housing market by stabilizing families, neighborhoods, and communities. SB0504 ensures local legislatures can pass enforceable laws whereby no one is arbitrarily deprived of their housing.

MAP appreciates your consideration and urges the committee to issue a favorable report for SB0504.

***Marylanders Against Poverty (MAP)** is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.*