



Date: February 28, 2023

Committee: Judicial Proceedings

Bill: Senate Bill 770-Landlord and Tenant - Holding Over - Landlord Restrictions and Tenant Remedies

Position: Unfavorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose membership consists of owners and managers of more than 207,246 rental housing homes in more than 937 apartment communities. Our members house over 667,000 residents of the State of Maryland throughout the entire State of Maryland. MMHA membership also includes more than 216 associate members that supply goods and services to the multi-housing industry. More information is available at <https://www.mmhaonline.org/>

This Baltimore City Administration bill unnecessarily amends State law and the public local laws of Baltimore City to allow a resident to seek injunctive relief against a property owner. Senate Bill 770 (SB 770) is unnecessary because Baltimore City Code of Public Local Laws Subtitle 9-15 already allows Baltimore City to levy criminal penalties against property owners who commit any number of prohibited acts, including willful diminution of services.

Pursuant to the Baltimore City Code, claims for injunctive relief under this provision are heard by the criminal division of the court. In a meeting with Baltimore City DHCD, MMHA was informed that there are between 200-300 claims for injunctive relief brought each year, 95% of which are dismissed. This bill maintains a potential criminal penalty for landlords yet amends state law to give the District Court original civil jurisdiction over tenant actions for injunctive relief.

It is also unclear how this would be implemented, and many court administration questions remain unanswered. For example, would these cases be placed on the housing court docket? Would claims for injunctive relief be merged with other existing housing court cases (such as failure to pay rent or breach of lease) or as a separate matter? Would these cases be heard on a general civil court docket? Without answers to these questions, it is unclear on how the bill would impact judicial efficacy and other types of cases in District Court. There is little utility in placing more demand on an already exceptionally delayed housing court system, for actions that are dismissed 95% of the time.

For the aforementioned reasons, MMHA respectfully requests an unfavorable report on SB 770.

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