



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

**January 19, 2023**

**HB 36**

**Real Property – Actions to Repossess – Proof of Rental Licensure**

**House Judiciary Committee**

**Position: Support**

The Maryland Catholic Conference (“Conference”) represents the public-policy interests of the three Roman Catholic (arch) dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington.

House Bill 36 would stop landlords who do not have an operating license from using streamlined court processes (Failure to Pay Rent, Tenant Holding Over, and Breach of Lease) from evicting tenants in localities that have a licensing law. Licensing laws protect public health and safety through periodic inspections. **Like any other business, if a landlord wants to file suit in Maryland courts, they must be licensed in any jurisdiction that requires licensure.**

Licensing laws in six (6) counties and other municipalities require landlords to pass a periodic a health and safety inspection. The vast majority of landlords comply with these laws. However, many tenants whose predatory landlords refuse to make repairs, refuse to obtain a license, extract as much rent as possible, and when the tenant complains, move to evict them through one of Maryland’s streamlined eviction processes. **When unlicensed landlords successfully use eviction court, it encourages all landlords to ignore licensing laws and increases the risk of tenants being subjected to health and safety hazards.**

While current law stops illegally operating landlords from obtaining a judgment for eviction for failure to pay rent, the Court created a loophole in *Velicky v. CopyCat* by allowing illegally operating landlords to obtain an eviction in Tenant Holding Over cases. 476 Md. 435 (2021). **The number of Tenant Holding Over cases filed has risen dramatically during the pandemic – a 116% increase from FY 2018 to FY 22. Under current law, landlords in these cases may ignore basic health and safety laws and still use the taxpayer-funded court system to evict tenants.**

The foundation of Catholic Social Teaching is the recognition of the life and dignity of the human person. The Church has traditionally viewed housing, not as a commodity, but as a basic human right. This conviction is grounded in our view of the human person and the responsibility of society to protect the life and dignity of every person by providing the conditions where

human life and human dignity are not undermined, but enhanced. As Pope John Paul II stated, "*A house is much more than a roof over one's head. It is "a place where a person creates and lives out his or her life."*

The Conference appreciates your consideration and respectfully urges a **favorable** report for House Bill 36.