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Prince George's County

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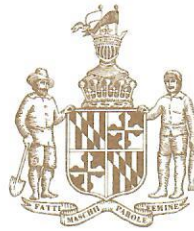
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Fair Practices and
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SENATOR JOANNE C. BENSON
SB992

Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Good afternoon, Chairman Smith, and Vice Chairman Waldstreicher, and the esteemed committee.

Thank you for the opportunity to present SB992. This bill requires landlords to provide a written notice to the tenant 14 days before the scheduled date and time of eviction. After the eviction, the tenant is allowed to recover their personal property left on the leased premises for at least 10 days safely and securely. During these 10 days, the landlord may not charge the tenant any fee for storing the tenant's personal property. If the tenant does not reclaim their property within those 10 days, the landlord has the right to dispose of the abandoned property, donate it, or sell the property. However, the landlord cannot dump property on public streets.

SB992 offers a win-win situation for the tenant, landlord, and community. It makes the situation much more predictable. The tenant knows what is happening and can keep their belongings such as life-saving medicine, electronics, personal treasures photos, mementos, and heirlooms. It is more predictable for the landlord because they know when the law considers the tenants' property officially abandoned, and when they can dispose of that property. It also saves the landlord from having to pay employees to move the tenants' property to the curb. There are also great community benefits with this bill. For example, eliminating putting the tenants' items outside, will prevent clutter and trash on the curb and sidewalk, reduce the encouragement of pests and rodents, and boost public safety.

As it stands right now, Maryland is behind other states when it comes to tenants' rights over their personal belongings. Washington DC, New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all have reclamation periods to allow tenants to access their property. Nineteen states and D.C. require notice of the scheduled eviction date, provide for the tenant's right to reclaim belongings, and give the landlord some duty to store the tenant's property. An additional nine states require notice of the scheduled eviction and a right to reclaim. Even without the notice requirement, thirty-three states have reclamation periods that are longer than 24 hours. Therefore, I believe the State of Maryland should find SB 992 essential and must bring Maryland in line with other states.

This bill adds predictability around the eviction process, benefits tenants, landlords, and the community, and treats tenants with the dignity and respect they all deserve.

I respectfully urge a favorable report for SB992.