

SB 992 Favorable.pdf

Uploaded by: Albert Turner

Position: FAV



Albert Turner
Attorney
Public Justice Center
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
410-625-9409, ext. 250
turnera@publicjustice.org

SB 992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

**Hearing before the Senate Judicial Proceedings Committee,
March 7, 2024**

Position: FAVORABLE

The Public Justice Center (PJC) is a nonprofit public interest law firm that stands with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing and their rights to fair and equal treatment by Maryland's landlord-tenant laws, courts, and agencies. We advocate to change the law regarding evictions and to demand the development of equitable and sustainable affordable housing. **PJC seeks the Committee's Favorable report on SB 992.**

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption ("pay to stay") or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A "reclamation period" is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB 992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant's possessions during the time of holding. An additional nine states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.

SB 992 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are

thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 992 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Additionally, many jurisdictions currently require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction. Not only is this costly to the landlord, but in the event an eviction is redeemed, cancelled, or postponed, the landlord loses money and resources. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire 5-6 workers to be present at each eviction. The landlord will now have more flexibility after the end of the 10-day period to dispose of any remaining belongings – without placing those belongings in the public way.

Public Justice Center supports SB 992 as it would take essential steps to protect renters property and smooths out the eviction process.

Public Justice Center is a member of the Renters United Maryland coalition and asks that the Committee **issue a FAVORABLE report on SB 992**. If you have any questions, please contact Albert Turner, Esq., turnera@publicjustice.org (410) 625-9409 Ext. 250.

Anna Levy_FAV_SEN_0992_03-07-2024.pdf

Uploaded by: Anna Levy

Position: FAV

March 7, 2024
Anna T. Levy
Rockville, MD 20852



TESTIMONY ON SB0992 - POSITION: FAVORABLE

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

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Anna T. Levy, on behalf of Jews United for Justice (JUFJ)

My name is Anna T. Levy and I am a resident of District 16 in North Bethesda. On behalf of Jews United for Justice (JUFJ), I am submitting this testimony in support of SB0992, Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over. JUFJ organizes 6,000 Jews and allies from across the state in support of social, racial, and economic justice campaigns.

Jewish sacred texts recognize that people having safe, stable housing is key to a healthy society. Access to safe and stable housing has far-reaching economic, health, and social benefits for individuals, families, and communities, and is key to reducing racial inequities. Senate Bill 0992 helps ensure that tenants do not lose all of their possessions when they are faced with the loss of their homes.

No child should have to come home from school and find their clothes, beds, and toys tossed outside. No one should have to undergo the indignity of finding their possessions on the street, unprotected from the elements and passersby. The loss of basic tools and furnishings that make our homes liveable, inflicts additional hardship on those who face the loss of their homes. In addition to the challenges of finding new housing, tenants must find the resources to replace the basic things that they need to survive, along with the loss of irreplaceable items like family photos which we all take for granted. This adds to the financial impact of eviction, further preventing families from ever reaching financial stability.

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption ("pay to stay") or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A "reclamation period" is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB0992 is critical legislation that would protect renters and bring Maryland in alignment with the rest of the country on executing evictions. This legislation would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs.

On behalf of Jews United for Justice, I respectfully urge this committee to return a favorable report on SB0992.

SB992 - Baltimore Renters United - Real Property T

Uploaded by: Ashley Esposito

Position: FAV

SB992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of
Lease, and Tenant Holding Over
Hearing before the Senate Judicial Proceedings Committee,
March 7, 2024
Position: FAVORABLE

Chairman, members of the committee, thank you for having me. My name is Indigo Null, I am a tenant advocate and organizer with Baltimore Renters United. I work with tenants every day to help them understand and exercise their rights, and run BRU's rent court watch program where I meet dozens of tenants going through the process of eviction proceedings every month.

I do not know a single tenant who's been evicted who has not lost possessions because of it. I know a tenant who was evicted several weeks after her father passed away - she lost all her dead father's belongings when she was evicted with no notice and only managed to recover her father's wedding ring because her landlord told her what shop he'd pawned it at. Another tenant lost her birth certificate, ID, and passport in her eviction and was thus unable to be hired at her new job because she had literally no forms of identification proving who she was.

I know multiple tenants who now sleep with their doors locked or chairs under their door handles because they were awoken by their landlords and sheriff's deputies bursting into their rooms unannounced - one tenant was in her underwear and now still sleeps fully clothed with shoes next to her bed a year later because of her experience.

I have seen children lose their school books and their clothes, their favorite stuffed animals.

Tenants are advised to call the Sheriff's office to ask if they are on the list to be evicted that week, but I know at least a dozen tenants who called every couple of days and were told they weren't, only to wake up to the sheriff at their door the next day.

Landlords are always given a heads up about eviction dates, and I have seen them use this advance notice to block parking lots, turn off elevators, and otherwise obstruct tenants' abilities to remove their belongings when an eviction happens. Why are we able to give landlords to have this advance notice, but not tenants? How do these landlords have more of a right to decide what happens with a tenant's belongings than the tenants themselves? **Do tenants lose a right to their personal property just because they have been unable to pay their rent?**

A tenant who doesn't know when they are getting put out can't arrange for movers, they can't pack their things, they can't find their essentials. Evictions are already traumatic enough without a tenant losing everything they own. Tenants need to know this information so they can plan and keep what's left of their lives together.

I urge a favorable report on the TPRA- tenants deserve some level of predictability in a time that is already so chaotic and traumatic for them.

SB0992_Failure_to_Pay_Rent_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0992
LANDLORD AND TENANT - FAILURE TO REPAIR SERIOUS AND DANGEROUS
DEFECTS - TENANT REMEDIES (TENANT SAFETY ACT OF 2024)

Bill Sponsor: Senator Benson

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0992 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

Evictions and non-renewals of leases have skyrocketed in Maryland. Approx. 34,000 households will likely face eviction next year. Unplanned moves and forced evictions create uncertainty and upheaval and impacts physical and emotional health. Homelessness, the most severe consequence unstable housing, exposes individuals and families to additional risks, including exposure to the elements, violence, and health hazards which disproportionately affects vulnerable communities. We need to limit the disruption of unplanned moves and evictions.

SB0992 has this potential by requiring a landlord to give a tenant 2 weeks' notice before repossession by the sheriff. It also sets some provisions regarding the disposition of personal property following an eviction. Tenants have 10 days after eviction to recover personal property. With this bill, tenants would now have time to make other arrangements for their housing and personal property. Too often we have walked by stacks of personal belongings on the sidewalk knowing that someone has been subject to a painful eviction and wondered if their belongings have been pilfered. We have even heard of stories of pets being left out in the elements as though they were furniture.

This should not be happening in one of the richest states in America. We support this bill and recommend a **FAVORABLE** report in committee.

SB 992 SVO TPRA Testimony.pdf

Uploaded by: Chelsea Ortega

Position: FAV



SANTONI, VOCCI & ORTEGA, LLC

201 W. Padonia Rd. Ste. 101A Lutherville – Timonium, MD 21093

Telephone: 443-921-8161 • Facsimile: 410-525-5704

www.svolaw.com

SB992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

**Hearing before the Senate Judicial Proceedings Committee,
March 7, 2024**

Position: FAVORABLE

Santoni, Vocci & Ortega, LLC is a private tenants' rights firm, representing tenants living in uninhabitable conditions, or have been the subject of an illegal eviction or debt collection violations.

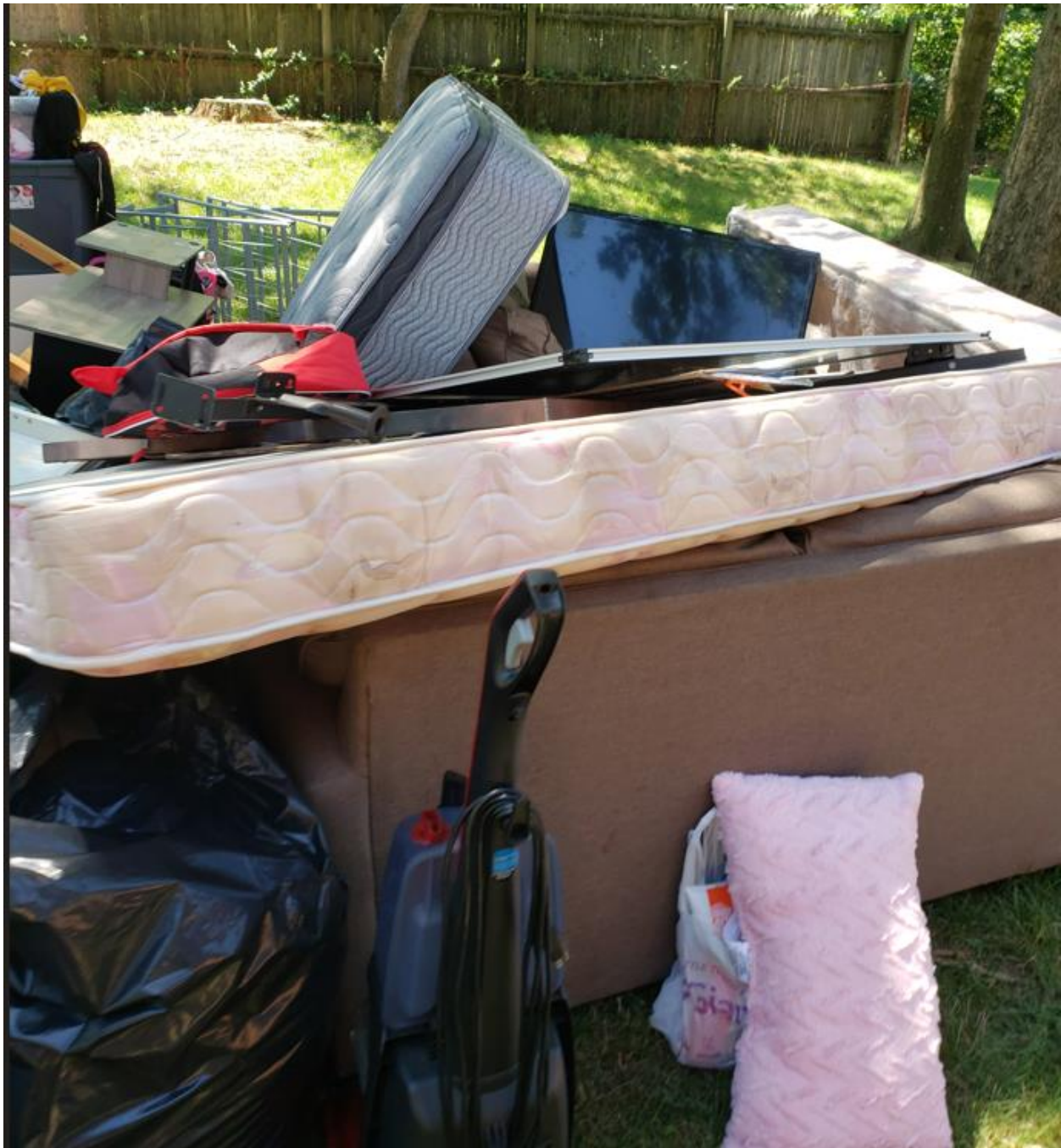
Santoni, Vocci & Ortega, LLC believes Senate Bill 992 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Currently, Maryland car owners are given more protection when their vehicles are subject to repossession than tenants have when facing eviction. Maryland law requires that creditors provide car owners with multiple notices before a vehicle is sold, including the date, time and location of a sale. The creditor also must provide the location of the vehicle and keep the vehicle for at least 15 days so the car owner can obtain their possessions. It is illogical that people have more right to their possessions stored in their vehicle than their homes.

An eviction is already devastating for families. When tenants, who often have children, lose an entire household of items unexpectedly, it is an event from which they rarely recover. Many are left with only the clothing they were wearing on the day of their eviction. **Even when belongings are put outside, often the items are damaged, open to the elements, and ripe for theft.** One tenant we represented alleged in his lawsuit that he had a safe broken into and his money stolen during an eviction. Another client alleged that her electronics were destroyed when they were thrown in a trash bag with liquids by the workers performing the eviction:







Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption (“pay to stay”) or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A “reclamation period” is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB 992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant's possessions during the time of holding. An additional nine states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.

SB 992 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belongings to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 992 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Additionally, many jurisdictions currently require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction. Not only is this costly to the landlord, but in the event an eviction is redeemed, cancelled, or postponed, the landlord loses money and resources. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire 5-6 workers to be present at each eviction. The landlord will now have more flexibility after the end of the 10-day period to dispose of any remaining belongings – without placing those belongings in the public way.

Santoni, Vocci & Ortega, LLC urges a favorable report on SB 992

YAB SB0992 TESTIMONY.pdf

Uploaded by: Damel Ross

Position: FAV

Baltimore City Youth Action Board

SB0992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Hearing before the House Environment and Transportation Committee,
March 7, 2024

Position: FAVORABLE

Peace & Blessings

The Baltimore City Youth Action Board believes Senate Bill 0992 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

The Baltimore City Youth Action Board is a Youth led board with lived experience. The YAB works to advocate for Baltimore City youth who may be experiencing homelessness.

Senate Bill 0922 is a bill that we believe can keep tenants who are experiencing financial difficulties from starting from ground zero. Oftentimes tenants who get behind on rent are evicted and do not get an opportunity to turn their situation around for the better. In many cases, we come across youth who are put into survival mode because of an eviction process that does not ensure the safety of tenants' property, that they were able to accumulate overtime. When a person is evicted, whoever lives with them is also evicted and in a lot of cases this includes children who have no control over their unfortunate circumstances. Many times during the eviction process youth tend to lose vital documents which puts them at risk of having their identity stolen and it makes it a lot more challenging to get housing resources.

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption ("pay to stay") or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A "reclamation period" is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB-0992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant to be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant's possessions during the time of holding. An additional nine

states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.

is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belongings to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. B remedies this issue by requiring the landlord to discard whatever remaining items that are left in a proper and clean fashion.

Additionally, many jurisdictions currently require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction. Not only is this costly to the landlord, but in the event an eviction is redeemed, canceled, or postponed, the landlord loses money and resources. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire 5-6 workers to be present at each eviction. The landlord will now have more flexibility after the end of the 10-day period to dispose of any remaining belongings – without placing those belongings in the public way.

The Baltimore City Youth Action Board urges a favorable report on SB0992

SB 0992 TRPA Written Testimony.pdf

Uploaded by: DiNesha Rucker

Position: FAV

HOMELESS PERSONS REPRESENTATION PROJECT, INC.

SB 0992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Hearing before the Judicial Proceedings Committee,
Mar. 7, 2024

Position: FAVORABLE

The Homeless Persons Representation Project, Inc. ("HPRP") is a non-profit civil legal aid organization providing free legal aid to those suffering from homelessness or at risk of homelessness on legal issues that eliminate barriers to becoming or remaining housed. HPRP regularly provides representation on landlord-tenant matters in Baltimore City, Montgomery County, and Prince George's County and advocates for continued housing of those at risk of homelessness across Maryland.

HPRP believes **Senate Bill 0992** is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Within HPRP's housing work we are uniquely positioned to observe a lack of awareness and understanding amongst tenants concerning their rights subsequent to a judgment. For many tenants there is immediate paralyzing fear after the initial judgment. Amongst those with judgments are those who are unaware of their rights, those that are aware of their right of redemption, and others that are simply not able to exercise this right. **SB0992** would protect each of those tenants through its notification requirement.

Additionally, while following the totality of the eviction process with some of our clients and hearing stories from callers seeking assistance after an eviction is executed, it is clear that the consequences of an execution go beyond losing your home. Tenants lose their property. These consequences ripple throughout the lives of tenants and occupants long after execution. Tenants lose sentimental items that are irreplaceable. They lose things important to their children. They lose important documentation. They even, lose items necessary for their survival like medication. Typically, tenants who have lost their property due to an eviction are too cost-burdened to recoup these losses.

This loss of property can at times be due to the date of the eviction being unknown to the tenant, the short time between the notification of the eviction date and its execution or the decision to abandon property because of lack of resources or fear of police presence. The reality for our clients and prospective clients is that much future hardship could be prevented by **SB0992's** notification requirement and its reasonable reclamation period. Tenants affected by the execution of an eviction have already lost their homes, their property is all they own.

Furthermore, in HPRP's Homeless Youth Initiative (HYI), we see how the loss of property from evictions trickles to the lives of all in the home. Youth whose parent(s) have been evicted risk losing important and necessary documentation. Vital records are routinely lost because of property losses related to evictions. The impact of losing vital records is significant. Many, if not all, of housing assistance programs require the submission of vital records. As a Homeless Youth Advocate, I have personally seen my young client's homelessness drag on because of a lack of vital records, related to a parent's evictions. **SB0992** wonder

provided this vulnerable community time to retrieve those vital records to access homeless or housing services in Maryland.

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption (“pay to stay”) or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A “reclamation period” is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB0992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant’s possessions during the time of holding. An additional nine states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.

SB 0992 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant’s belongings to be thrown out on public streets. Currently, in most of Maryland, a tenant’s personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 0992 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Additionally, many jurisdictions currently require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction. Not only is this costly to the landlord, but in the event an eviction is redeemed, cancelled, or postponed, the landlord loses money and resources. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire 5-6 workers to be present at each eviction. The landlord will now have more flexibility after the end of the 10-day period to dispose of any remaining belongings – without placing those belongings in the public way.

HPRP is a member of the Renters United Maryland coalition and asks that the Committee issue a report of **FAVORABLE on SB0992**. If you have any questions, please contact: DiNesha Rucker at drucker@hprplaw.org or (410) 449-2982.

DRM SB 992 Tenant Possession Recovery Act Testimon

Uploaded by: E.V. Yost

Position: FAV



Empowerment. Integration. Equality.

1500 Union Ave., Suite 2000, Baltimore, MD 21211

Phone: 410-727-6352 | Fax: 410-727-6389

www.DisabilityRightsMD.org

SB992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

**Hearing before the Senate Judicial Proceedings Committee,
March 7, 2024**

Position: SUPPORT (FAV)

Disability Rights Maryland (DRM) is the federally-appointed Protection & Advocacy agency¹ in Maryland mandated to advance the civil rights of people with disabilities. One of DRM's goals is to end the unnecessary segregation and institutionalization of Marylanders with disabilities. To achieve this goal, DRM's Housing Unit works to expand opportunities for Marylanders with disabilities to be part of their communities and to live in affordable and accessible housing.

Disability Rights Maryland believes Senate Bill 992 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed. While evictions are devastating for all families, losing access to necessary medications, medical equipment, social security information, service animals, or emotional support animals poses an additional risk to the health and safety of renters with disabilities. As one example, DRM recently received a call from a tenant requesting assistance after his landlord evicted him without notice, seizing his service animal. SB 992's reclamation period would preserve access to these critical needs for renters with disabilities facing eviction and require accountability from bad-actor landlords who seek to benefit from the eviction process.

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption ("pay to stay") or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A "reclamation period" is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB 992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

¹ For more information on Protection & Advocacy agencies, see NATIONAL DISABILITY RIGHTS NETWORK, <https://www.ndrn.org/> (last visited June 18, 2021).

Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant's possessions during the time of holding. An additional nine states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.

SB 992 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 992 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Additionally, many jurisdictions currently require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction. Not only is this costly to the landlord, but in the event an eviction is redeemed, cancelled, or postponed, the landlord loses money and resources. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire 5-6 workers to be present at each eviction. The landlord will now have more flexibility after the end of the 10-day period to dispose of any remaining belongings – without placing those belongings in the public way.

Disability Rights Maryland is a member of the Renters United Maryland coalition and asks that the Committee **issue a report of FAVORABLE on SB 992**. If you have any questions, please contact: E.V. Yost, evy@DisabilityRightsMD.org.

SB992 Tenant Possession Recovery Act.pdf

Uploaded by: Erica Palmisano

Position: FAV

Dear **Members of the Judicial Proceedings Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA and Maryland Renters United. I am a resident of District 12. **I am testifying in support of SB992.**



Showing Up for Racial Justice

Eviction is an intensely stressful event in the lives of individuals and families. In addition to whatever troubles underlie the eviction itself and the struggle to find new housing, people being expelled from their homes face the uncertainty of not knowing when the ax will fall and the panic of trying to make sure they hold onto their personal property when the eviction occurs. Currently, the law requires no advance notice of the specific date of eviction, and makes no provisions for safeguarding tenant property.

If someone happens to not be home when the sheriff serves the warrant of restitution, the tenants' possessions are put on the street and left subject to theft or damage; the tenant with an impending eviction can only hope they are home at the time, or that they return soon enough to reclaim their property. Everything from necessities like clothes and medication, to family heirlooms and photographs, to important documents like birth certificates and social security cards can be lost in this way. The impact ranges from mildly inconvenient to catastrophic.

SB992 would change the law in two important ways. First, it requires a landlord to give two weeks' notice of the scheduled eviction date, allowing tenants to appropriately prepare. Second, it requires a landlord to safeguard the personal possessions left on the property for 10 days, giving evicted tenants a chance to reclaim them. Neither of these measures stops the landlord from reclaiming their property after a court issues a lawful warrant of restitution. They simply prevent the eviction process itself from being unnecessarily traumatic and punitive. These changes will substantially improve the lives of Marylanders facing a tough situation of having to leave their home.

This issue goes beyond economics to long-standing racial inequities. In October 2023, the National Equity Atlas reported an estimated 98,000 households were behind on their rent in Maryland.¹ Of those, 79% of tenants are people of color, including Blacks, Latinx, and Native Americans. Eviction has been documented to hit Black women tenants hardest because of intersecting prejudices against women with eviction records and housing discrimination against Blacks.² Considering the wage gap for Black women is \$0.60 for every \$1 a white man earns, each item thrown on the street is harder to replace after eviction,³ deepening financial hardship. Marylanders suffering the consequences of historically racist policies ought to be spared further harm.

As a small private landlord, I expect my tenants to treat my property with care and it seems only right I do the same, even if a contract ends in eviction.

It is for these reasons that I am encouraging you to vote **in support of SB992.**

Thank you for your time, service, and consideration.

Sincerely,
Erica Palmisano
5580 Vantage Point Rd, Apt 5, Columbia, MD
Showing Up for Racial Justice Baltimore

¹ <https://nationalequityatlas.org/rent-debt>

² https://www.nber.org/system/files/working_papers/w30382/w30382.pdf

³ <https://www.forbes.com/advisor/business/gender-pay-gap-statistics/>

SB0992 (1).pdf

Uploaded by: Heather Cassity

Position: FAV

**SB0992 – Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent,
Breach of Lease, and Tenant Holding Over
Hearing before the Environment & Transportation Committee on March 7, 2024**

Position: FAVORABLE

I am urging the committee to support SB0992 (cross-filed with HB1114) as a tool to help keep families in their homes, prevent long-lasting trauma, and stop the cycle of multigenerational poverty. Above all, this bill is smart and enables a process to effectively utilize existing resources and funds to help keep more people in our community housed.

Working in the field of services for people experiencing homelessness for over 7 years, I see the aftermath of eviction and its impact on families and children. This legislation will make a difference in the lives of those at risk of homelessness and the community that supports our most vulnerable population.

The eviction rate is past 2019 statistics, with about 80 households being evicted a day in Maryland. In 2023, the rate of children experiencing homelessness more than doubled to 111,000. Often, our local non-profits, community agencies, and schools are left with helping to pick up the pieces of a life torn apart. Every time a family is evicted, they start from ground zero. Especially for the children involved, losing their cherished items, seeing them strewn about like trash is tragic, and creates a pattern of a life in constant crisis. Throughout my time working in shelter services, I have seen the loss of items we assisted in obtaining for the families, such as birth certificates, social security cards, and important financial documents necessary for recertification for vouchers. I have witnessed people being evicted due to a lack of communication between the sheriff's office and the housing commission, circumstances that are out of their control, losing everything, and ending up in a shelter.

Our teachers, emergency personnel, social workers, and medical personnel see the patterns with multigenerational poverty and the impact it has on entire communities. Implementing steps like this legislation will help end the cycle. We all need to work together to help families achieve a sustainable future and thrive for upward mobility for everyone's benefit. Advance notice of eviction dates and reclamation time will help families to find financial assistance or another housing solution plus the time to gather their belongings which will be life-changing. Resources will be more effectively directed at helping families preserve their important documents and cherished belongings rather than replace them.

I appreciate your consideration of my testimony and your commitment to our entire community for a better future.

Sincerely,
Heather Cassity
CEO/Cassity Consulting
Chair, Coalition to End Homelessness in Anne Arundel County and Annapolis City
BOD, Anne Arundel Affordable Housing Coalition

Maryland Catholic Conference_FAV_SB992.pdf

Uploaded by: Jenny Kraska

Position: FAV



**MARYLAND
CATHOLIC
CONFERENCE**

March 7, 2024

SB 992

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

Senate Judicial Proceedings Committee

Position: FAVORABLE

The Maryland Catholic Conference offers this testimony in support of Senate Bill 992. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 992 would require landlords to give evicted tenants a ten-day notice to retrieve their property. Tenants would also be provided with notice of the ten-day period, as well as instructions for how to retrieve their property. Lastly it would ensure reasonable storage and safeguarding of their property thereafter.

Senate Bill 992 would align Maryland with 46 states in allowing renting families a limited opportunity to collect their belongings after eviction. When tenants are evicted, they can lose important documentation such as passports or birth certificates, access to important medications, and family heirlooms and photos.

The ten-day period and related notices proposed by this law are reasonable steps to protect renters, who can often be some of the most vulnerable in society when it comes to housing insecurity. Catholic teaching supports the right to private property but recognizes that communities and government have an obligation to ensure that housing needs of all are met, especially the poor and vulnerable members of our communities. Access to safe and affordable housing is a fundamental human right and this legislation represents a positive step toward achieving this goal.

Accordingly, the Conference appreciates your consideration and, for these reasons, respectfully requests a favorable report on Senate Bill 992.

Real Property Landlord and Tenant Procedures for F

Uploaded by: Joanne C Benson

Position: FAV

JOANNE C. BENSON
Legislative District 24
Prince George's County

MAJORITY WHIP

Budget and Taxation Committee

Education, Business and
Administration Subcommittee

Pensions Subcommittee

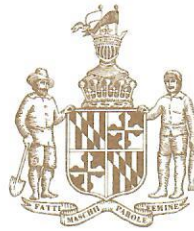
Joint Committees

Audit and Evaluation Committee

Children, Youth, and Families

Ending Homelessness

Fair Practices and
State Personnel Oversight



James Senate Office Building
11 Bladen Street, Room 201
Annapolis, Maryland 21401
410-841-3148 · 301-858-3148
800-492-7122 Ext. 3148
Fax 410-841-3149 · 301-858-3149
Joanne.Benson@senate.state.md.us

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.

Witness Panel-SB992.pdf

Uploaded by: Joanne C Benson

Position: FAV

Benson, Joanne Senator (District)

From: Albert Turner <turnera@publicjustice.org>
Sent: Wednesday, March 6, 2024 4:38 PM
To: Benson, Joanne Senator; Ann Ciekot
Cc: Benson, Joanne Senator (District)
Subject: RE: Meeting Request - to prep our sponsor!

Good Afternoon,

For SB 992, below is the initial panel that will support the introduction of the bill and the other folks who will testify on the bill. If there is any concerns or questions please let me know!

Thanks!

Panel

Shanae Hunt - Tenant
Sahid Suma - Tenant
Lisa Sarro - ACDS
Albert Turner - PJC
Tiffany Fisher - NAACP

Testimony

Julie Hummer - Anne Arundle County Councilwoman
Ash Esposito - BRU
Dee Rucker - HPRP
Eddie Blackstone - HPRP and Tenant
Katie Davis - PBRC
Erica Palmisano - Small Landlord
Jordan Colquitt - CLS
Greg Countess/Zafar Shah - MDLAB
Levy - Youth Action Board

From: Albert Turner
Sent: Saturday, March 2, 2024 6:33 PM
To: 'Benson, Joanne Senator' <Joanne.Benson@senate.state.md.us>; Ann Ciekot <aciekot@policypartners.net>
Cc: Benson, Joanne Senator (District) <Joanne.Benson.District@senate.state.md.us>
Subject: RE: Meeting Request - to prep our sponsor!

Good Evening Senator Benson,

Looking forward to meeting with you and you staff on Monday. I've attached a write up of what SB 992 that could be used for sponsor testimony with edits if you'd like. Also please find below link of the house hearing that took place this past Tuesday for a little intel on what to expect from opponents of the bill. I think we had good turnout for this bill and we plan to have a same amount coming out in support with a number of tenant testimonies explaining the horrors of losing belongings after their eviction.

BaltimoreCounty_FAV_SB0992.pdf

Uploaded by: John Olszewski

Position: FAV

JOHN A. OLSZEWSKI, JR.
County Executive



JENNIFER AIOSA
Director of Government Affairs

AMANDA KONTZ CARR
Legislative Officer

WILLIAM J. THORNE
Legislative Associate

BILL NO.: **SB 992**

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

SPONSOR: Senator Benson

COMMITTEE: Judicial Proceedings

POSITION: **SUPPORT**

DATE: March 7, 2024

Baltimore County **SUPPORTS** Senate Bill 992 – Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over. This legislation creates several new protections for tenants related to property repossession and the recovery of personal property by those who have been evicted.

SB 992 requires that, following the issuance of a warrant of restitution, a landlord provides written notice to the tenant at least 14 days before the scheduled repossession of the property. If the Sheriff reasonably believes that the landlord has not provided the notice required or that the tenant has redeemed the property, the Sheriff must notify the District Court and may not execute the warrant of restitution without further order of the District Court. Furthermore, SB 992 states that if a tenant is not present during the execution of a warrant of restitution, the sheriff must post a notice on the door of the premises stating that repossession has been completed and the tenant has 10 days to reclaim personal property. The bill lays out specific provisions to ensure the personal property is kept and protected for the 10-day period, and that the former tenant has a reasonable ability to access their personal property during that time period.

Baltimore County supports this legislation as it creates significant protections during the process of eviction. Currently, State law does little to protect tenants from being evicted immediately following eviction court proceedings. It specifically has few protections for personal property that is present at the premises of those who are pending eviction. During the height of the pandemic, many tenants were given minimal time and notice between an eviction ruling and the actual eviction. In many of these cases, personal property inside of the premises was lost or destroyed, leaving families not only without a home but without any of their personal possessions. Without statutory protections, there is no legal consequence or protection against

this kind of treatment. SB 992 would extend the basic rights and fair treatment to tenants that is too often denied in eviction proceedings.

Accordingly, Baltimore County urges a **FAVORABLE** report on SB 992 from the Senate Judicial Proceedings Committee. For more information, please contact Jenn Aiosa, Director of Government Affairs at jaiosa@baltimorecountymd.gov.

SB992 - CASA Written Testimony.pdf

Uploaded by: Jose Coronado Flores

Position: FAV



Testimony in SUPPORT of SB992
HB1114 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of
Lease, and Tenant Holding Over
Senate - Judicial Proceedings Committee
Jose Coronado-Flores , On Behalf of CASA

March 7th, 2024

Dear Honorable Chair Smith and Members of the Committee,

CASA is pleased to offer favorable testimony in support of **SB992**. SB992 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Renters need and deserve reliable notice of the eviction date, so that they can exercise their statutory right of redemption (“pay to stay”) or make plans to leave the property with their belongings intact. Equally, Maryland renters deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A “reclamation period” is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

CASA members face evictions for a variety of reasons including difficulty paying rent and retaliation for organizing or demanding better conditions. They do not deserve to have their possessions withheld or left to be stolen on common grounds. For these reasons, CASA urges a favorable report.

Jose Coronado-Flores

Research and Policy Analyst

jcoronado@wearecasa.org, 240-393-7840

SB 992 - Tenant Property Rights Act - SENATE.pdf

Uploaded by: Katherine Davis

Position: FAV



SB 992 – Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over
Hearing before the Judicial Proceedings Committee
March 7, 2024
Position: FAVORABLE

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide thought leader and clearinghouse for pro bono civil legal services in Maryland. As the designated pro bono arm of the MSBA, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar and offers direct legal services to over 6,200 clients annually.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the Tenant Volunteer Lawyer of the Day (“TVLD”) Program in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented for their proceedings. Since then, thanks in large part to grants from the Maryland Legal Services Corporation (MLSC), PBRC’s Courtroom Advocacy Project staff and volunteer attorneys have represented thousands of tenants in both Baltimore City and Baltimore County in multiple types of legal actions that could result in eviction.

While our goal is always to avoid eviction where possible, we recognize that some of our clients end up in that situation. For those who do, **SB 992 represents a critical measure to ensure that their eviction, while a transfer of the property back to the landlord, does not also result in the loss or destruction of all their belongings.** This legislation does that by ensuring that tenants get notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Specifically, SB 992 provides tenants notice 14 days in advance of their impending eviction dates; and the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.¹

Renters need and deserve a reliable notice of the eviction date so that they can exercise their statutory right of redemption (“pay to stay”) or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs to mitigate the financial and personal loss that evictions cause. A “reclamation period” is a period post-eviction in which a renter can retrieve their possessions. Without either provision, too many tenants lose their homes and property, including items like life-saving medicine, electronics, birth certificates and school photos.

SB 992 is not only a benefit to tenants. It also benefits both the landlords and the community. Many jurisdictions require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction and dispose of the tenants belonging, which can be costly to the landlord. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire these workers to be present at each eviction. Instead, they will now have more flexibility after the end of the 10-day reclamation period to dispose of any remaining belongings. The community will benefit as well because the tenants’ personal belongings will no longer be thrown into the street after an eviction. Those left after the reclamation period will be discarded in a proper and clean fashion.

The point of an eviction is the transfer property back into the hands of the owner, not the destruction or loss of the personal property of the tenants. No one benefits when a family has to look for donations to replace their destroyed furniture because they didn’t have time to find a storage unit and it was left in the rain, when a mother has to spend hours at state agencies to replace her children’s lost birth certificates, when an elderly man has to replace months’

worth of insulin, or when a community has to look at an entire family's belongings piled on the street. **SB 992 provides commonsense solutions that will benefit everyone.**

PBRC urges a FAVORABLE report on SB 992.

Please contact Katie Davis, Director of PBRC's Courtroom Advocacy Project, with any questions.

kdavis@probonomd.org • 443-703-3049

¹ Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant's possessions during the time of holding. An additional nine states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.

SB 992_Consumer Protection Division_Support_2024.p

Uploaded by: Kira Wilpone-Welborn

Position: FAV

CANDACE MCLAREN LANHAM
Chief Deputy Attorney General

CAROLYN A. QUATTROCKI
Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CHRISTIAN E. BARRERA
Chief Operating Officer

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement

PETER V. BERNS
General Counsel



ANTHONY G. BROWN
Attorney General

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION

WILLIAM D. GRUHN
Chief
Consumer Protection Division

Writer's Direct Dial No.
410-576-6986
kwilponewelborn@oag.state.md.us

March 6, 2024

To: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

From: Kira Wilpone-Welborn, Assistant Attorney General
Consumer Protection Division

Re: Senate Bill 992 – Real Property - Landlord and Tenant - Procedures for Failure to Pay
Rent, Breach of Lease, and Tenant Holding Over (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General (the “Division”) supports Senate Bill 992 sponsored by Senator Joanne C. Benson. Eviction, by its very nature, is chaotic and disruptive to the tenant, the landlord, and the community. Senate Bill 992 attempts to reduce one area of disruption by protecting the personal belongings of tenants facing eviction by: (1) providing advance written notice of a scheduled eviction, and (2) allowing the tenant time after possession is restored to the landlord to collect personal property.

First, Senate Bill 992 seeks to prepare tenants for an impending eviction after the Court issues a warrant of restitution by requiring the landlord or its agent to provide the tenant with at least 14 days’ written notice of the scheduled eviction. To ensure the tenant receives the notice, the notice must be mailed and posted on the tenant’s door; and, to ensure the landlord can document the notice, the landlord must have a certificate of mailing and a date-stamped photograph of the posted notice. Providing tenants with at least 14 days’ notice of a scheduled eviction provides them with ample time to plan and make alternative arrangements and reduces the disruption of the eviction. For example, with at least 14 days’ notice, tenants are provided with the material piece of information they need to make tough decisions about what belongings to pack and store, and, in the case of evictions due to a tenant’s failure to pay rent, what bill payments can be rearranged to secure the funds necessary to redeem the property and avoid an eviction altogether.

Second, Senate Bill 992 requires landlords to provide tenants with 10 days to reclaim property that remained in or on the premises at the time of the eviction. Presently, in many Maryland communities, evicted tenants' belongings are hastily removed from the premises and placed on the curb. Often included among the removed belongings are tenants' valuables, such as medications, birth certificates, and family heirlooms, which often become lost or damaged. Providing tenants with a mere 10 days to reclaim remaining property after an eviction can prevent invaluable personal belongings from being lost or damaged and save tenants from the additional time and expense needed to obtain a duplicate of important documents. Additionally, Senate Bill 992's reclamation period reduces disruptions to the community by keeping personal belongings from being housed on the curb or other public property after an eviction.

As such, the Division requests that the Judicial Proceedings Committee give Senate Bill 992 a favorable report.

cc: The Honorable Joanne C. Benson
Members, Judicial Proceedings Committee

SB992_MoCoDHCA_Frey_FAV.pdf

Uploaded by: Leslie Frey

Position: FAV



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

SB 992

DATE: March 7, 2024

SPONSOR: Senator Benson

ASSIGNED TO: Judicial Proceedings

CONTACT PERSON: Leslie Frey

(leslie.frey@montgomerycountymd.gov)

POSITION: FAVORABLE (Department of Housing and Community Affairs)

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

Senate Bill 992 requires a landlord to provide notice to a tenant at least 14 days before the scheduled date of repossession as set by the sheriff when a court has issued a warrant of restitution for a failure of a tenant to pay rent, a breach of lease, or a tenant holding over. The bill also establishes procedures and requirements for the execution of a warrant for repossession and mandates that tenants be provided ten days following the execution of a warrant of restitution to recover personal property from the premises or another reasonably secure location chosen by the landlord. Finally, the bill states that nothing in the bill may be interpreted to restrict the authority of the State and local jurisdictions to enact legislation governing landlords and tenants, including legislation establishing penalties for a violation of this section.

Current law allows the enforcement of a writ of restitution at any time after four days from the judgement. Landlords do not have to provide any specific date for the repossession of the property or the eviction, causing tenants uncertainty on access to the property. Senate Bill 992 creates an obligation for notice of a specific date for enforcement; this creates a process for providing tenants with structure and clarity on rights and actions available to them. Montgomery County would benefit from fewer completed evictions, which saves landlords turnover costs and reduces eviction impacts on tenants and households. Montgomery County Department of Housing and Community Affairs supports Senate Bill 992 because it creates structure and communication to eliminate the disruptive and confusing process of eviction enforcement. Current practice creates uncertainty and does not support tenants managing efforts to either satisfy the judgment or coordinate a process of moving. For these reasons, Montgomery County Department of Housing and Community Affairs respectfully requests a favorable report.

SB0992 ACDS Support - Tenant Possessions Recovery

Uploaded by: Lisa Sarro

Position: FAV



SB0992 – Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Hearing of the Judicial Proceedings Committee, March 7, 2024

Position: Favorable

SUPPORT: ACDS strongly supports SB0992.

The Bill

This bill will bring Maryland’s eviction process in line with the rest of the country by ensuring that families and individuals on the verge of eviction have advance notice of the date when their eviction will occur and a limited period of time after the eviction date within which to gather their personal belongings.

All of Maryland’s neighboring states, including New Jersey, West Virginia, Pennsylvania, Delaware, Virginia, North Carolina, and the District of Columbia, have laws that require both advance notice of an eviction date and a period of time within which evicted families can gather personal belongings. In fact, 46 states in the US have laws that require notice to a tenant of their eviction date and/or a reclamation period post eviction for tenants to gather their belongings, or both. *Currently, Maryland has neither.*

ACDS Connection to Eviction Matters

ACDS serves as Anne Arundel County’s nonprofit housing and community development agency. As part of fulfilling this role, ACDS administers an Eviction Prevention Program providing financial assistance to prevent the eviction of families and individuals facing imminent eviction, administers grants to other nonprofits providing eviction prevention assistance, and coordinates the County’s Continuum of Care and local Coalition to End Homelessness. We interact closely everyday with government agencies, school personnel, legal services providers, foundations, inter-faith organizations, and others that help individuals and families facing eviction and families that need help rebuilding their lives, often from the ground up, after the family has been evicted.

Who is Most Affected by Eviction and the Threat of Eviction? Families with children, especially families with a child under the age of five, are overwhelmingly the most likely demographic to be threatened by eviction and are also most likely to actually be evicted.

Late in 2023, the [Proceedings of the National Academy of Sciences of the United States of America](#) (PNAS) published new data developed through an innovative partnership between Princeton University’s Eviction Lab, Rutgers University, and the US Census Bureau. They linked millions of eviction court records with detailed census data to provide the most accurate and comprehensive estimates to date of demographic variations in eviction risk, finding that **evictions overwhelmingly affect households with children present – 40% of individuals threatened with eviction are children.** Racial disparities are stark, also - **about a quarter of Black babies and toddlers in rental households face the threat of eviction.** The study

reveals that **not only does the average evicted household include a child, but the most common age to experience this traumatic event is during the earliest years of a child's life.**

Advance Notice of an Eviction Date Would Provide Time for Local Agencies to Step In to Help. Families are often taken by surprise when the Sheriff and a moving crew appear at their home to change the locks and toss their belongings out of the house. With advance notice of their scheduled eviction date, households and the agencies that may help them will know exactly how much time they have to come up with the amount needed to “pay and stay,” or to make other arrangements for their housing. This time is absolutely critical for the agencies and organizations that might be able to assist the families either with funding, so they can pay and stay, or with arranging housing alternatives.

When a family is evicted without notice and they are unable to preserve their belongings, the family's crisis is often shared with the agencies and organizations whose responsibility and mission is to help pick up the pieces, including school staff tasked with ensuring the educational success of children who are homeless or housing insecure. Loss of not just the roof over their heads, but also all their property, creates a crisis that especially traumatizes children. They lose all their belongings - their pets, cherished toys, schoolbooks and school laptops, clothing – literally everything they own is lost, often before their very eyes. For adults, too, the loss of everything – vital medicines, key documents like passports and IDs, credit cards and banking documents, computers, work clothes, tools needed for work, car keys, food, furniture, etc. The losses can set a family back not just temporarily, but permanently.

For those without alternatives, shelter must be located, along with resources for everyday life. We know from our interactions with our local nonprofits helping families start over, that those nonprofits and interfaith groups are at their limit and can't keep up with the needs of families who need to restock everything they have lost. Resources would be much more effective if directed toward helping families preserve rather than replace belongings.

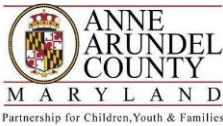
Advance Notice of Eviction Dates and Some Time for Families to Gather Their Belongings Will be Life-Changing for Many Families. Maryland's current eviction process creates unnecessary crises. With the change contemplated by this bill - advance notice of the eviction date and time to gather belongings - both the crisis element and the lifelong trauma and economic impact caused by eviction will be avoided, or at least ameliorated. Families will have a chance to avoid eviction altogether or to at least preserve the belongings they need to move forward with their lives after an eviction.

For the reasons noted above, ACDS urges the Committee to issue a FAVORABLE report on SB0992.

SB0992 FAV AA County Partnership Testmony.pdf

Uploaded by: Lisa Sarro

Position: FAV



1 Harry S Truman Parkway
Suite 103
Annapolis, MD 21401

Dr. Pamela Brown, Ph.D.
Executive Director

March 6, 2024

SUPPORT – SB0992- Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Dear Senators:

On behalf of the Anne Arundel County Partnership for Children, Youth, and Families, I am writing in support of SB 0992 to have additional requirements for landlords when filing a warrant of restitution in a failure to pay rent, breach of lease, or tenant holding over action, and also requiring tenants to be able to recover personal property after the execution of a warrant.

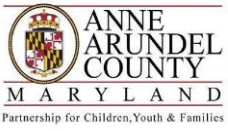
The Partnership for Children, Youth, and Families currently runs a rapid rehousing program and meets families struggling to pay their rent every day. We also conduct community needs assessments and know that we are in a housing crisis, with exorbitant costs and stipulations for renters. This disproportionately impacts low income families struggling to make ends meet. Protecting tenant's rights is essential for families to gain economic stability.

SB 0992 will give tenants access to their personal property after an eviction. Being evicted and then experiencing significant barriers to obtaining assistance that you and your children need is catastrophic. Food, clothing, medication, birth certificates, social security cards, and mementos of lost family members, at minimum, leave an evicted family with significant barriers to assistance and survival. One of the families we have served is a single grandmother who is caring for her grandson. After eviction she lost her medication, walker, and all of the grandson's clothing and memories of his deceased mother, along with all documents of legal custody. Another family we served is a single mom with mental health challenges and a disabled son who uses a wheelchair. They also lost everything, including mental health medication for mom, a multitude of medications for the son with cerebral palsy, a breathing apparatus, diapers, among other items. Now along with the barriers to finding affordable housing, these families will have to rebuild the necessary supplies they need for daily life.

We urge you to support SB0992 - Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over to protect Maryland families.

Sincerely,

Pamela M. Brown, PhD
Executive Director



1 Harry S Truman Parkway
Suite 103
Annapolis, MD 21401

Dr. Pamela Brown, Ph.D.
Executive Director

SB0992 Support - AA Cty Community Action Agency.pd

Uploaded by: Lisa Sarro

Position: FAV



Helping People, Changing Lives

March 6, 2024

The Honorable Joanne C. Benson
Maryland Senate
201 James Senate Building
11 Bladen Street
Annapolis, Maryland 21401

Dear Senator Benson,

The Anne Arundel County Community Action Agency strongly supports Senate Bill 992, Tenants Possessions Recovery Act, which will offer protection to tenants who are being evicted from their homes by giving them extended notice to evict and to give tenants ten days to reclaim their property after eviction.

The Community Action Agency works with Anne Arundel County residents who are facing eviction, as well as those who have been evicted. We realize that not only do evicted residents lose a roof over their heads, but many also lose their personal possessions and dignity through a very public and traumatic eviction process. Household members lose their financial records, family heirlooms and keepsakes, and even pets during the process. If SB 992 is passed, tenants will be given 14 days' notice prior to their eviction, allowing tenants to plan accordingly to retain or reclaim their possessions.

Forty-six states in the U.S. currently have legislation in place that provides notice to the tenant of their eviction date and/or a reclamation period post-eviction for tenants to gather their belongings. We encourage the Senate to pass this bill which bring Maryland law into alignment with the majority of states and the District of Columbia. SB 992 would give tenants and landlords concrete dates for when they need to reclaim their property and when landlords are able to actually begin discarding left possessions.

I respectfully support SB 992 which you are sponsoring, to benefit Maryland households during the eviction process.

Respectfully yours,

Charlestine R. Fairley, PhD, Chief Executive Officer

Anne Arundel County Community Action Agency, Inc.
251 West Street
Annapolis, Maryland 21401

SB 992_MAP_FAV.pdf

Uploaded by: Mark Huffman

Position: FAV



TESTIMONY IN SUPPORT OF SB 992

The Tenant Possessions Recovery Act Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Judicial Proceedings

March 7, 2024 1pm

Submitted by Mark Huffman, Co-Chair

Member Agencies:

211 Maryland

Anne Arundel County Food Bank

Baltimore Jewish Council

Behavioral Health System Baltimore

CASH Campaign of Maryland

Energy Advocates

Episcopal Diocese of Maryland

Family League of Baltimore

Fuel Fund of Maryland

Job Opportunities Task Force

Laurel Advocacy & Referral Services,
Inc.

League of Women Voters of Maryland

Loyola University Maryland

Maryland Center on Economic Policy

Maryland Community Action
Partnership

Maryland Family Network

Maryland Food Bank

Maryland Hunger Solutions

Paul's Place

St. Vincent de Paul of Baltimore

Welfare Advocates

Marylanders Against Poverty

Kali Schumitz, Co-Chair

P: 410-412- 9105 ext 701

E: kschumitz@mdeconomy.org

Mark Huffman, Co-Chair

P: (301) 776-0442 x1033

E: MHuffman@laureladvocacy.org

Marylanders Against Poverty (MAP) strongly supports HB 826, which would align Maryland with 46 states and allow renting families a limited opportunity to collect their belongings after eviction.

Right now, when a tenant is evicted they not only lose their home, but also their birth certificates, medications, and family photos as well as their dignity through a very public and traumatic eviction process.

Families need notice of an eviction date and a 10-day period to reclaim their possessions. This bill would require that tenants be given 14 days of notice of their scheduled evictions. Notice will include the eviction date, if there is a right to redeem, and that the tenant will have 10 days to reclaim their personal possessions.

After the eviction is executed, a tenant will have 10 days to reclaim whatever personal possessions are left before the landlord can dispose of them.

46 states in the US have legislation requiring notice of the eviction date and/or a reclamation of possessions post eviction. All the neighboring jurisdictions of Washington, DC; New Jersey; West Virginia; Pennsylvania; Delaware; Virginia; and North Carolina have notice AND reclamation periods.

MAP appreciates your consideration and urges the committee to issue a favorable report for SB 992.

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.

SB 992 TPRA Favorable Testimony.docx.pdf

Uploaded by: Michael Lent

Position: FAV

SB992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

**Hearing before the Senate Judicial Proceedings Committee,
March 7, 2024**

Position: FAVORABLE

I, Michael Lent of District 08, believe Senate Bill 992 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption (“pay to stay”) or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A “reclamation period” is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB 992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant to be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant’s possessions during the time of holding. An additional nine states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.

SB 992 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant’s belongings to be thrown out on public streets. Currently, in most of Maryland, a tenant’s personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 992 remedies this issue by requiring the landlord to discard whatever remaining items that are left in a proper and clean fashion.

Additionally, many jurisdictions currently require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction. Not only is this costly to the landlord, but in the event an eviction is redeemed, cancelled, or postponed, the landlord loses money and resources. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire 5-6 workers to be present at each eviction. The landlord will now have more flexibility after the end of the 10-day period to dispose of any remaining belongings – without placing those belongings in the public way.

I ask the Senate Judicial Proceedings Committee to offer a favorable report on SB 992

Michael Lent

District 08

2504 Creighton Ave Parkville MD 21234

SB 992 P Thomas Testimony.pdf

Uploaded by: Pretnier Thomas

Position: FAV

Written Testimony from Pretnie'r Thomas

SB 992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Hearing before the Senate Judicial Proceedings Committee,

March 7, 2024

Position: FAVORABLE

My name is Pretnie'r Thomas. I am a tenant in Baltimore City, Maryland.

I believe Senate Bill 992 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

This is important to me because my son and I were evicted in October 2022, and we lost all our belongings. These belongings include furniture, kitchen items, clothing, and sentimental items, like pictures. My son has asked me several times what happened to his gaming system, which is very upsetting to me. If the protections afforded under this bill had been in place at the time, I would have had a chance to get my belongings before they were thrown out like trash.

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption ("pay to stay") or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A "reclamation period" is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB 992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

SB 992 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 992 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

I, Pretnie'r Thomas, urge a favorable report on SB 992.

03.06 - SB 992 - Real Property - Landlord and Ten

Uploaded by: Robin McKinney

Position: FAV



**SB 992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and
Tenant Holding Over
Judicial Proceedings Committee
March 7, 2024
SUPPORT**

Chair Smith, Vice-Chair Waldstreicher and members of the committee, thank you for the opportunity to submit testimony in support of Senate Bill 992. This bill will ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption ("pay to stay") or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. A "reclamation period" is a period post-eviction in which a renter can still gain access to their possessions such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms.

SB 992 would 1) provide tenants notice 14 days in advance of their impending eviction dates; and 2) provide tenants the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.

Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant's possessions during the time of holding. An additional nine states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.

SB 992 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 992 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Additionally, many jurisdictions currently require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction. Not only is this costly to the landlord, but in the event an eviction is redeemed, cancelled, or postponed, the landlord loses money and resources. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire 5-6 workers to

Creating Assets, Savings and Hope



be present at each eviction. The landlord will now have more flexibility after the end of the 10-day period to dispose of any remaining belongings – without placing those belongings in the public way.

The CASH Campaign of Maryland is a member of the Renters United Maryland coalition and asks that the Committee issue a report of FAVORABLE on SB 992.

Creating Assets, Savings and Hope

SB 992 Suma Testimony.pdf

Uploaded by: Sahid Suma

Position: FAV

My name is Sahid Suma. I am a tenant who has been evicted and has lost their personal possessions. I support Senate Bill 992 because it would have allowed me to vacate the property with the dignity of knowing that I would not lose my personal belongings as well.

On December of 2023 I was evicted from my home and subsequently I lost a number of personal belongings. On the day of my eviction, I had been aware that I owed money and had sent my landlord the rent payment by Western Union in the full amount. However, because I had only the receipt confirming that the payment was sent and the landlord had not received the payment, I was evicted. While this was devastating to me, it was particularly important that I be able to at least collect all my personal belongings and professional equipment.

I work in IT and I am a firearms instructor and I have a number of expensive work and office equipment. Initially, my landlord told me that I would be able to get my property within 7 days of my eviction, which I obliged. I was able to get a few items, however, because of the holiday season it was difficult for me to rent a truck for my larger items. Despite this I was fortunate enough to find a rental truck and was prepared to pick up the larger items on the 7th day. However, the landlord denied me access to my own belongings.

The landlord stated that they would not allow me to get my belongings and I was never able to recover my remaining possessions. I lost instructors manuals and tools, I lost business calendars and items that were essential to my employment. Personally, I lost my diploma which I cherished because I worked hard for it as someone who had to live on their own at the age of 16. That was irreplaceable and I suffered heavy personal loss.

Renters need and deserve reliable notice of the eviction date so that they can exercise their statutory right of redemption or make plans to leave the property with their belongings intact. Equally, Maryland renters deserve a reclamation period after the eviction occurs, to mitigate the financial and personal loss that evictions cause. Had Senate Bill 992 been law, I would have been able to get my

personal belongings and would have been able to transition much easier. I hope no Marylander experiences the loss I have dealt with.

I, urge a favorable report on Senate Bill 992.

SB 992 Sharnae Hunt Testimony.pdf

Uploaded by: Sharnae Hunt

Position: FAV

SB 992 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

**Hearing before the Senate Judiciary Proceedings Committee,
March 7, 2023**

Position: FAVORABLE

Chairman Smith, Vice Chair Waldstreicher, and members of the House Environment and Transportation Committee:

My name is Sharnae Hunt, I am a government worker, a mother, and a renter in the city of Glen Burnie, Maryland. I am here today to support the Tenant Possessions Recovery Act (SB 992) which would protect renters from experiencing the harm I unfortunately went through. [Two days before Thanksgiving 2022, I was evicted by the landlord, while I was at work.](#) That day, I was called by the property manager and told that I owed \$300 in back rent and that I needed to pay that immediately. Because I was working and I did not have time to discuss the matter in full, I paid the \$300 over the phone and continued to work. Shortly after the phone call with the property manager, I was called by a neighbor letting me know that an eviction had taken place at my building. By the time I came home, I found that all my belongings had been removed from my unit and had been thrown carelessly into the street.

It was not long after that, my landlord confessed to me that the eviction was done “erroneously” and that they would move my belongings back into my unit. However, the damage had already been done. **During the eviction the landlord’s agents damaged, broke and dirtied my furniture and took my belongings for themselves. I lost precious keepsakes my son made for me, old passports, social security cards, bank information, a laptop, gaming systems and other technologies. My son's pet turtle was sent away and we were never able to track him down.**

Because of the traumatic experience, I moved out of the unit and now live with my parents while me and my son try to make ourselves whole again. If the Tenant Possessions Recovery Act was a law, this experience would not have happened to me or any other Maryland tenant. The law would make sure that in evictions whether done “erroneously” or by the law, tenants would have the right to access their personal and sacred belongings.

I ask for a favorable report on SB 992.

Thank you,

Sharnae Hunt

MMHA - UNF - SB 992.pdf

Uploaded by: Grason Wiggins

Position: UNF



Senate Bill 992

Date: March 6, 2024

Committee: Environment and Transportation

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/>

Senate Bill 992 (“SB 992”) requires a housing provider to provide an additional notice to a resident 14 days prior to the execution of a warrant of restitution and creates a new 10 day reclamation period that would require a housing provider to store a residents property for free. SB 992 further establishes a sheriff deputy as a fact finder and adjudicator of record at the location where a warrant of restitution is being carried out.

SB 992 specifically notes that local jurisdictions may set penalties or legislate in addition to the bill, which has the potential to create a patchwork of penalties and requirements across the state. In addition to potential penalties at the local level, the bill unnecessarily seeks to establish a private right of action that would allow residents to recover actual damages, attorney fees, court costs, and any other remedy the court determines.

Finally, SB 992 is introduced in the wake of an ongoing U.S. District Court case, Todman v. The Mayor and City Council of Baltimore. As this decision is postured for appeal to the U.S. District Court of Appeals, MMHA asks that the Committee allow the legal questions at issue be fully litigated, and judicial process exhausted, before the legislature responds. As such, MMHA respectfully requests an unfavorable report on SB 992.

SB 992- RMI.pdf

Uploaded by: Katherine Howard

Position: UNF

REGIONAL MANAGEMENT INC.

SB 992 -Real Property- Residential Leases-Procedures for Failure to Pay Rent, Breach of Lease and Tenant Holding Over Testimony of Regional Management, Inc.- Unfavorable March 7, 2024

Regional Management, Inc, (RMI) is a property management company which has, for over 60 years, managed over 5,000 units of affordable, market rate, residential properties in Baltimore City and County. RMI is a founding member of the Maryland MultiHousing Association.

SB 992 prematurely attempts to codify a ruling made by the United States District Court for the District of Maryland in Todman v. The Mayor and City Council of Baltimore, which is currently on appeal at the US Court of Appeals for the 4th Circuit, with arguments set for March 22, 2024. The case, which began as a Tenant Holding Over matter, resulted in the expansion of a local Baltimore City law governing the disposition of eviction chattels in Failure to Pay Rent (FTPR) evictions, to include Tenant Holding Over evictions as well.

RMI opposes this Bill because it is premature to promulgate legislation while this matter is pending. See, Docket Entries attached. This is an Appeal of Right, which means that the appellate court must hear the case. Given the differences between the issues in FTPR cases (tenant can redeem a tenancy) versus those in Tenant Holding Over cases (tenant no longer has possession of premises) it is highly possible that the lower court decision will be over-turned or modified.

Over the last 3-4 years Landlords, Tenant organizations and Sheriff's representatives have discussed legislation regarding the disposition of FTPR eviction chattels and have not yet found a solution acceptable to all stakeholders. RMI suggests that after the Todman case is finally resolved that we begin exploring this matter again.

Respectfully Submitted,

Katherine Kelly Howard, Esq., General Counsel

(410) 539-2370 • 11 EAST FAYETTE STREET • BALTIMORE, MARYLAND 21202-1679

General Docket
United States Court of Appeals for the Fourth Circuit

Docketed: 02/23/2023

Court of Appeals Docket #: 23-1201
Nature of Suit: 3440 Other Civil Rights
Marshall Todman v. The Mayor and City Council of Baltimore
Appeal From: United States District Court for the District of Maryland at Baltimore
Fee Status: fee paid

Case Type Information:

- 1) Civil Private
- 2) private
- 3) null

Originating Court Information:

District: 0416-1 : 1:19-cv-03296-DLB
Court Reporter: Nadine Gazic, Official Court Reporter
Court Reporter: Amanda Longmore, Official Court Reporter
Court Reporter: Camille Powell, Court Reporter Coordinator
Presiding Judge: Deborah Lynn Boardman, U. S. District Court Judge
Date Filed: 11/15/2019
Date Order/Judgment: 02/21/2023
Date Order/Judgment EOD: 02/21/2023
Date NOA Filed: 02/21/2023
Date Rec'd COA: 02/22/2023

Prior Cases:

None

Current Cases:

	Lead	Member	Start	End
Cross-Appeal	23-1201	<u>23-1277</u>	03/15/2023	

MARSHALL TODMAN
Plaintiff - Appellee

Joseph Samuel Mack
Direct: 443-423-0464
Email: joseph@macklawonline.com
[COR NTC Retained]
LAW OFFICES OF JOSEPH S. MACK
106 Pelican Road
Tavernier, FL 33070

Conor Brendan O'Croinin, Esq.
Direct: 410-332-0444
Email: cocroinin@zuckerman.com
[COR NTC Retained]
ZUCKERMAN SPAEDER, LLP
Suite 2440
100 East Pratt Street
Baltimore, MD 21202-0000

TIFFANY TODMAN
Plaintiff - Appellee

Joseph Samuel Mack
Direct: 443-423-0464
[COR NTC Retained]
(see above)

Conor Brendan O'Croinin, Esq.
Direct: 410-332-0444
[COR NTC Retained]
(see above)

v.

THE MAYOR AND CITY COUNCIL OF BALTIMORE
Defendant - Appellant

Michael Patrick Redmond
Direct: 410-396-7536
Email: michael.redmond@baltimorecity.gov
[COR NTC Government]
BALTIMORE CITY LAW DEPARTMENT
Office of Legal Affairs
Suite 101

100 North Holliday Street
Baltimore, MD 21212

MARYLAND MULTI-HOUSING ASSOCIATION, INC.
Amicus Supporting Appellant

Kerri Lee Smith
Direct: 410-385-2225
Email: ksmith@silvermanthompson.com
[COR NTC Amicus Counsel]
SILVERMAN, THOMPSON, SLUTKIN & WHITE
Suite 900
400 East Pratt Street
Baltimore, MD 21202

Avery Barton Strachan
Direct: 410-385-2225
Email: astrachan@silvermanthompson.com
[COR NTC Amicus Counsel]
SILVERMAN, THOMPSON, SLUTKIN & WHITE
Suite 900
400 East Pratt Street
Baltimore, MD 21202

PUBLIC JUSTICE CENTER
Amicus Supporting Appellee

Melanie Carolyn Babb
Direct: 410-625-9409
Email: babbm@publicjustice.org
[COR NTC Amicus Counsel]
PUBLIC JUSTICE CENTER
Suite 1200
201 North Charles Street
Baltimore, MD 21201

CIVIL JUSTICE
Amicus Supporting Appellee

Melanie Carolyn Babb
Direct: 410-625-9409
[COR NTC Amicus Counsel]
(see above)

HOMELESS PERSONS REPRESENTATION PROJECT
Amicus Supporting Appellee

Melanie Carolyn Babb
Direct: 410-625-9409
[COR NTC Amicus Counsel]
(see above)

MARYLAND LEGAL AID
Amicus Supporting Appellee

Melanie Carolyn Babb
Direct: 410-625-9409
[COR NTC Amicus Counsel]
(see above)

02/23/2023	<input type="checkbox"/> <u>1</u> 1 pg, 55.42 KB	Case docketed. Originating case number: 1:19-cv-03296-DLB. Case manager: NaeemahSims. [1001321758] [23-1201] NRS [Entered: 02/23/2023 04:52 PM]
01/18/2024	<input type="checkbox"/> <u>58</u> 2 pg, 124.46 KB	CASE CALENDARED for oral argument. Date: 03/22/2024. Session Starting Time: 8:30 am. Check-in Time: 7:45-8:00 am. Forms due within 7 calendar days. [1001506544] [23-1201, 23-1277] NRS [Entered: 01/18/2024 07:10 PM]
01/19/2024	<input type="checkbox"/> <u>59</u> 1 pg, 489.5 KB	ORAL ARGUMENT ACKNOWLEDGMENT by Marshall Todman and Tiffany Todman in 23-1201, 23-1277. Counsel arguing: Conor B. O'Croinin. Answering argument time: 18 minutes. Rebuttal argument time: 2 minutes. ... [1001506744] [23-1201, 23-1277] Conor O'Croinin [Entered: 01/19/2024 10:48 AM]
01/24/2024	<input type="checkbox"/> <u>60</u> 1 pg, 83.18 KB	ORAL ARGUMENT ACKNOWLEDGMENT by The Mayor and City Council of Baltimore in 23-1201, 23-1277. Counsel arguing: Michael Redmond. Opening argument time: 15 minutes. Rebuttal argument time: 5 minutes. ... [1001509134] [23-1201, 23-1277] Michael Redmond [Entered: 01/24/2024 12:44 PM]
01/26/2024	<input type="checkbox"/> <u>61</u> 25 pg, 526.12 KB	BRIEF by Marshall Todman and Tiffany Todman in 23-1201, 23-1277. Type of Brief: REPLY. . Do any cases pending in this court or the Supreme Court of the United States raise similar issues? NO.. [1001510636] [23-1201, 23-1277] Conor O'Croinin [Entered: 01/26/2024 01:05 PM]
01/26/2024	<input type="checkbox"/> <u>62</u> 1 pg, 97.2 KB	COPY FOLLOW-UP NOTICE issued to Marshall Todman and Tiffany Todman in 23-1201, 23-1277 requesting 4 copies of reply brief. [1001510727] Must be received in Clerk's Office by 01/29/2024. [23-1201, 23-1277] AW [Entered: 01/26/2024 01:46 PM]
01/26/2024	<input type="checkbox"/> <u>63</u>	Receipt of paper copy of REPLY BRIEF filed at [<u>61</u>] by Marshall Todman and Tiffany Todman in 23-1201, 23-1277. Number of pages: [25]. Sufficient: Yes. Number of Copies: [4]. Received by clerk date: 01/29/2024. [1001511458] [23-1201, 23-1277] KS [Entered: 01/29/2024 11:43 AM]

MBIA Letter of Opposition SB 992.pdf

Uploaded by: Lori Graf

Position: UNF

March 7, 2024

The Honorable William C. Smith Jr.
Chairman, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: SB992 Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Dear Chair Smith:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB 992 Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over**. MBIA **Opposes** the Act in its current version.

This bill would seek to require a landlord to provide certain notice to a tenant when a court has issued a warrant of restitution for a failure of a tenant to pay rent, a breach of lease, or a tenant holding over under certain circumstances. Currently, when a tenant fails to pay rent, the landlord may seek eviction and money damages.

Recently, the state of Maryland required that before filing a Failure to Pay Rent case with the District Court, tenant's must be provided with a notice of the Landlord's intent to do so. The notice must tell the tenant how much rent is due and give them 10 days to pay. This recently added provision allows at least some time for the tenant to access resources in order to pay the amount owed, as well as access the unit for any personal belongings. The extension of this timeframe is premature given in most cases the tenant is able to retrieve all of their personal belongings. We would ask that the committee not move to adopt this legislation given the timeframe built into the policy now is fair.

We appreciate the opportunity to submit comments on the proposed legislation and ask the committee for a un favorable report.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Judicial Proceedings Committee

SB 992-AOBA--UNF.pdf

Uploaded by: Ryan Washington

Position: UNF



Bill No: SB 992—Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Committee: Judicial Proceedings

Date: 3/7/2024

Position: Unfavorable

The Apartment and Office Building Association of Metropolitan Washington (AOBA) represents members that own or manage more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's Counties.

Senate Bill 992 requires housing providers to provide tenants with a 14-day notice of an eviction prior to the scheduled repossession of the unit as set by the Sheriff's Office. In AOBA's experience, tenants already receive ample notice of a looming eviction. Furthermore, the current backlog of evictions in Montgomery and Prince George's Counties has made it difficult to schedule evictions with the Sheriff's Office particularly during the fall and winter months when inclement weather can lead to eviction cancellations on the day of.

This bill also creates an additional burden on the housing providers to store an evicted tenant's property for up to 10 days. Housing providers typically do not have empty storage space, so this requirement would result in the tenant's belongings remaining in the unit for 10 days following the eviction. This burden adds to the losses incurred by the housing provider because it extends the amount of time it would take to turn over the unit. Moreover, this responsibility to provide additional notice should be on the Sheriff's office as they schedule the evictions. Lastly, it is unclear whether a sheriff would then need to be present after the 10-day period expires so that the housing provider can dispose of the abandoned property.

For these reasons, AOBA requests an unfavorable report on SB 992. For further information, contact Ryan Washington, AOBA's Government Affairs Manager, at 202-770-7713 or email rwashington@aoba-metro.org.

SB 992_realtors_unf .pdf

Uploaded by: William Castelli

Position: UNF



Senate Bill 992 – Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Position: Unfavorable

The Maryland REALTORS® oppose SB 992 which greatly extends the time of eviction for housing providers and property managers.

Many Maryland REALTORS® provide property management services for single-family rental properties. While the REALTORS® appreciate that eviction is difficult for many tenants, eviction is also a difficult process for many housing providers. When an eviction occurs, many owners not only lose rent payments that they may rely on to pay a mortgage for the time period of the judgment, but the owner will now be faced with the additional costs of eviction and turning the unit over. In Prince George's County, as an example, the Sheriff's office requires a single-family rental property to provide the following before the Sheriff will evict:

- A 25-person moving crew
- A tow truck on-site (or the availability of a tow truck)
- A locksmith on-site (or the availability of a locksmith)

Combining the day of eviction costs, with the time to clean, paint (likely), market the property, and lost rent the housing provider will be out thousands of dollars.

SB 992 will actually extend the eviction period to 24 days for many owners because of the requirement that a housing provider keep a tenant's personal property for up to 10 days after the eviction (14-day notice to evict and 10 period to keep personal items). In a single-family rental, many tenants move the personal property (furniture, clothes, personal items) they want and leave the personal property they don't. As a result, a housing provider, under this bill, will be required to keep the unwanted property in the house for another 10 days (rather than paying for a storage locker to rent) before disposing of the tenant's unwanted personal property.

SB 992 also directs the District Court to vacate a warrant of restitution when an owner fails to provide notice. For some owners of single-family properties – particularly not professionally managed properties -- this can be harsh penalty. Some small landlord's ignorance of the law, rather than their willfulness, may result in more months of no rent for an owner who is probably managing the property themselves because they do not have the money to pay a professional.

While the current law permitting execution of the warrant of restitution within 4 days after the judgment seems short, the likelihood is that both the tenant and the homeowner have been waiting for a court date for at least a month. Not only does a tenant have time to plan, but as a matter of policy, the law should encourage a quick return of the property to the market for the next tenant looking for a home.

**For more information contact lisa.may@mdrealtor.org or
christa.mcgee@mdrealtor.org**

sb992.pdf

Uploaded by: Linda Miller

Position: INFO

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

SUZANNE PELZ, ESQ.
SNR. GOVT. RELATIONS AND
PUBLIC AFFAIRS OFFICER
P: (410)260-1523

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 992
Real Property – Landlord and Tenant – Procedures for Failure to
Pay Rent, Breach of Lease, and Tenant Holding Over
DATE: February 15, 2023
(3/7)

COMMENT PAPER

The Judiciary respects the separation of powers doctrine and acknowledges that the legislature is the policy-making branch. As such, the Judiciary has no position on the policy aims of this legislation and defers to the legislative branch on such matters.

The Judiciary only writes to point out a few concerns. First, on page 10, lines 27–30, the bill authorizes local jurisdictions to enact legislation governing landlords and tenants, which poses the risk that local jurisdictions could pass local laws that are inconsistent with state law. Second, on page 7, lines 13-16, the bill's use of the term "summary ejectment case number" is vague and may be inapposite. Further, on this page, the bill references the District Court, but the circuit courts, on appeal from the District Court, also sometimes issue warrants of restitution. The language could simply be changed to "the court." Finally, on page 8, it is unclear whether the rebuttable presumption of notice would apply in the circuit courts and/or the District Court of Maryland.

cc. Hon. Joanne Benson
Judicial Council
Legislative Committee
Kelley O'Connor