

HB 970 Senate Crossfile 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

HB970 - Real Property - Residential Leases - Rent Increase Prohibition

**Hearing before the Senate Judicial Proceedings Committee,
March 25, 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 changing the law regarding evictions and demanding the development of equitable and sustainable affordable housing. **We support HB 970.**

HB 970 reinforces the new Maryland law 2023 that requires a landlord to provide tenants with at least 60 days' notice – or 90 days' notice for a tenancy over one month – when the landlord intends to increase the rent. HB 970 would now prohibit a landlord from retaliating against their tenant in cases where they have not followed Maryland law by giving adequate notice of a rent increase. [Rents have skyrocketed since the start of the pandemic, increasing over 19% in the Baltimore area alone, with similar increases around the state.](#) Rapid rent increases destabilize families and result in evictions that can lead to homelessness and, short of homelessness, have significant collateral consequences such as forcing children to change school districts in the middle of the year, forcing families into unsafe or unhealthy housing due to lack of options, or losing a job that is no longer accessible by available transportation.

It is important to make sure that not only tenants have ample time ahead to plan for a rent increase, but in cases where the landlord does not follow the notice law, the tenant is protected against landlord retaliation actions such as lease non renewals. Without HB 970 a landlord who has not given 60 or 90 day notices of a rent increase against their tenant may be allowed to issue a retaliatory non-renewal of the lease if the tenant tries to invoke their notice rights. This bill is a much needed addition.

We urge the Committee to issue a Favorable report on HB 970.

Public Justice Center is a member of the Renters United Maryland coalition and asks that the Committee **issue a FAVORABLE report on HB 970.** If you have any questions, please contact Albert Turner, Esq., turnera@publicjustice.org (410) 625-9409 Ext. 250.

HB 970_Crossover_Consumer Protection Division_Supp

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 25, 2024

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

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

Re: House Bill 970 – Real Property - Residential Leases - Rent Increase Prohibition
(SUPPORT)

The Consumer Protection Division of the Office of the Attorney General (the "Division") supports House Bill 970 sponsored by Delegate Melissa Wells. House Bill 970 clarifies that a landlord who fails to provide a tenant with a proper notice of a rent increase cannot increase the tenant's rent or retaliate against the tenant.

Landlord-tenant complaints are consistently among the top complaints received each year by the Division, including complaints of rent increases and renewals. House Bill 970 provides important clarification on the consequences for a landlord that violates Section 8-209 of the Real Property Article, enacted last session by this Legislature. Section 8-209 seeks to provide tenants with adequate notice of essential and material information that would permit them to either negotiate the amount of the rent increase or to seek alternative, affordable housing. Landlords that fail to provide proper notice of a rent increase should not be permitted to increase a tenant's rent or take retaliatory actions against the tenant. House Bill 970 makes those consequences of the landlord's failure to comply with the statute explicit.

Accordingly, the Division requests that the Judicial Proceedings Committee give House Bill 970 a favorable report.

cc: The Honorable Melissa Wells
Members, Judicial Proceedings Committee

BaltimoreCounty_FAV_HB0970.pdf

Uploaded by: Shawn Vinson

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.: **HB 970**

TITLE: Real Property – Residential Leases – Rent Increase Prohibition

SPONSOR: Delegate Wells

COMMITTEE: Environment and Transportation

POSITION: **SUPPORTS**

DATE: February 27, 2024

Baltimore County **SUPPORTS** House Bill 970 – Real Property – Residential Leases – Rent Increase Prohibition. This legislation will create a remedy for tenants whose landlords violate existing laws regarding the notification of a rent increase.

Current law outlines the notice that is required for landlords who intend to raise a tenant’s rent. The amount of notice required depends on the type of lease, ranging from 7 days to 90 days. However, current statute does not include provisions to account for violations of the requirements. HB 970 would prohibit the landlord from raising the rent if they failed to provide proper notice to the tenant. Furthermore, the legislation prohibits the landlord from retaliating against the tenant if they refuse to pay the increased rent due to the landlord’s failure to provide proper notice.

Protecting renters from unfair and unjust treatment is a priority for Baltimore County. It is imperative that in the face of the ongoing housing crisis, the State of Maryland and local governments pursue common-sense protections that will keep residents housed. HB 970 will enhance the existing statute, ensuring that tenants are protected through proper notification of an increase in rent.

Accordingly, Baltimore County urges a **FAVORABLE** report on HB 970 from the House Environment and Transportation Committee. For more information, please contact Jenn Aiosa, Director of Government Affairs at jaiosa@baltimorecountymd.gov.

HB0970 - Maryland Legal Aid - in Senate - FAV.pdf

Uploaded by: Zafar Shah

Position: FAV



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

HB0970 - Real Property - Residential Leases - Rent Increase Prohibition

Hearing before the Judicial Proceedings Committee on March 26, 2024

Position: FAVORABLE

Maryland Legal Aid (MLA) submits its written and oral testimony on HB0970 at the request of bill sponsor Delegate Melissa Wells.

MLA is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. We serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, predominantly housing cases. MLA urges the Committee's Favorable report on HB0970, which would add a penalty when landlords violate Real Prop. art. § 8-209.

Section 8-209 was enacted in 2023 ([HB0151](#) / [CH0146](#)) so that renters have at least 90 days' notice (in most cases) of a forthcoming rent increase. HB0970 adds two provisions that surround, rather than change, the notice requirement for rent increases. This bill instructs that a landlord who fails to provide the requisite notice may not go ahead and increase the rent. Furthermore, the bill prohibits any retaliation against a tenant – including refusal to renew the lease – when a tenant refuses an increase prohibited due to the landlord's failure to comply with the notice requirement.

In short, HB0970 gives enforceability to last year's enactment. MLA understands that the anti-retaliation measure in HB0970, while lacking a cause of action on its own, could be effectuated by other existing statutes, including the statewide retaliatory eviction statute (Real Prop. § 8-208.1), local retaliatory eviction laws, and consumer protection laws.

For all the foregoing reasons, **Maryland Legal Aid urges the Committee's favorable report on HB0970.** If you have any questions, please contact:

Zafar S. Shah
Assistant Advocacy Director – Tenants' Right to Counsel Project
zshah@mdlaborg | (443) 202-4478

Gregory Countess
Director of Advocacy for Housing and Community Economic Development
gcountess@mdlaborg | (410) 951-7687