

HB477.pdf

Uploaded by: Alicia Pereschuk

Position: FAV

Dear Members of the Environment and Transportation 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 de Maryland and Renters United. I am a resident of **District 43**. I am testifying in support of HB477.



Showing Up for Racial Justice

HB477 allows local jurisdictions to require a just basis for landlords to either refuse to renew or to cut off month-to-month/week-to-week leases. This legislation would enable local legislatures to pass their own laws, if they choose, limiting how and when lease non-renewals occur, requiring landlords to have a just cause to non-renew, or requiring landlords to prove a just cause in court.

HB477 has been edited in the House and so is different than the version previously review. The current version:

- exempts landlords who have less than six rental units
- creates a firm state definition of what good cause for lease non-renewal is, as opposed to letting each jurisdiction define what is good cause and what isn't.

During the COVID-19 pandemic, as the rate of non-payment eviction was slowed by court delays and emergency rental assistance, lease-non-renewal evictions roughly doubled. This means that working people and their children face the constant threat of displacement, even when they follow all the rules. They have no choice but to accept declining conditions and increasing rents just to stay in their communities. A 2019 study from Princeton & the Eviction Lab found “just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution.”¹ Without this bill, jurisdictions like Montgomery County and Baltimore City face preemption challenges to trying just cause eviction policies. This bill gives local legislatures the power to decide what’s acceptable and when. It recognizes that local legislatures know how best to help their renters stay stably housed and able to contribute to the workforce and the economy.

This issue goes beyond economics to long-standing racial inequities in housing policy. Our partners at CASA recently reported that on November 22, 2023, seven residents of the Evergreen Terrace Apartments in Hyattsville, MD publicly denounced evictions that they believed were unjust, based on false evidence targeting immigrant and working class families.² In October 2023, the National Equity Atlas reported an estimated 98,000 households were behind on their rent in Maryland.³ Of those, 79% of tenants are people of color, including Blacks, Latinx, and Native Americans. Crucially, 47% of those households include children, a disproportionate number of whom are Black and Brown, and social scientists have documented declining school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes as negative outcomes among children who experienced

¹ <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

² <https://wearecasa.org/tenants-at-evergreen-terrace-apartments-call-out-discriminatory-and-unjust-evict/>

³ <https://nationalequityatlas.org/rent-debt>

eviction.⁴ People of color form less than half of this state's population, and helping them remain in their homes ensures we stop perpetuating racial inequities, especially lifelong detriments suffered by children.

It is for these reasons that I am encouraging you to vote **in support of HB477**.

Thank you for your time, service, and consideration.

Sincerely,
Alicia Pereschuk
321 W 28th St
Baltimore MD 21211
Showing Up for Racial Justice Baltimore

⁴ https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf

HB477-FAV to Senate.pdf

Uploaded by: Anita Lampel

Position: FAV

HB0477_AnitaLampel_FAV

Date of Hearing 4/2/2024

Anita Lampel
Bethesda, MD, 20817

TESTIMONY ON HB#0477 - POSITION: FAVORABLE
Landlord and Tenant-Residential Leases and Holdover Tenancies-Local Just Cause
Termination Provisions

TO: Chair Senator Will Smith, Vice Chair Senator Jeff Waldstreicher, Judicial Proceedings Committee

FROM: Anita Lampel

My name is Anita Lampel. I am a resident of District 16. I am submitting this testimony in support of HB#0477.

I am a member of Adat Shalom Reconstructionist Congregation, the Womens' Democratic Club of Montgomery County, and Giving Together, a philanthropic group. My Jewish values and ethics call upon me to not abuse the poor or leave them without shelter. From this flows my support of HB0477, which would end evictions of persons at the end of their lease without good cause to do so.

My mother's parents immigrated and lived lives of poverty, seven children in a two-bedroom apartment. How hard was that! And our families in Maryland who make their rent payments, sometimes at the cost of medicine or food, and still do not have leases renewed for no good cause? How can we have this in 2024? And this happens because we would not need legislation if it did not. I was in the Montgomery County Council audience when there was a call from councilmembers for just such a bill so they could address the problems in our county correctly.

I respectfully urge this committee to return a favorable report on HB#0477.

HB477-FAV-AnnaLevy_JPR_04-02-2024.pdf

Uploaded by: Anna Levy

Position: FAV

April 2, 2024

Anna T. Levy
Rockville, MD 20852

TESTIMONY ON BILL HB0477 – Position: FAVORABLE
Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Good Cause Termination Provisions

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

FROM: Anna T. Levy

My name is Anna T. Levy, a resident of Rockville, MD, District 16. I am submitting this testimony in support of HB0477, Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions.

Safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. Renters routinely have little agency when faced with threats to maintaining stable housing. As a Jewish person, I am taught that all people should have *dei machsoro*, resources sufficient for each person's needs. (Deut. 15:7-8) The home is a critical source of stability for individuals and families. It provides a nexus for social interactions for families, friends, and communities. We know from published research, including a recent analysis by the [Maryland Center for Economic Policy](#), and those of Matthew Desmond and Princeton's Eviction Lab, that the disruption resulting from evictions contributes to long term physical, psychological, educational, and economic damage that can condemn people to poverty and destabilize communities.

Evictions create significant costs for state and local government related to funding for shelter and education, as well as health care provided in hospitals instead of by community-based providers, transportation costs for homeless youth, and foster care. Notably, evictions have a disparate impact on Black and brown households in Maryland. Decreasing the number of evictions would help to reduce significant racial inequities and strengthen the financial status of individuals and our communities. Thus, we have an obligation to make sure that people can stay in their homes.

There are valid contractual reasons for non-renewal of rental leases. Bill HB0477 would enable local jurisdictions to pass Good Cause eviction laws to protect tenants who are fulfilling their contractual obligations so that they can continue to maintain a safe and stable home. Currently, landlords can decide not to renew a tenant's lease for any reason, even when a tenant fully meets their rent and fee obligations and adheres to the terms of their lease. This means that a landlord can force out a tenant who complains about unsafe or unhealthy conditions or because the landlord wants to dramatically raise rents. HB0477 does not negate a landlord's right to not renew the lease of disruptive or delinquent tenants. It simply protects tenants who are doing the right thing to stay in their homes by requiring landlords to provide a just cause for non-renewal

of a lease. Additionally, the House bill will exempt from Good Cause laws, owner-occupied properties and landlords owning five or fewer properties in a county.

HB0477 defines "good cause", and provides a list of when a landlord has Good Cause not to renew a lease. The options included reflect policies that have been enacted in other U.S. jurisdictions. I urge the Committee to favorably consider two amendments: 1) that would make sure that landlords who have ownership interests in LLC or partnership properties would be subject to the legislation, and 2) include a verifiable standard for habitually late rent specifying four or more rent judgements in the previous 12 months.

Good cause eviction legislation has been introduced numerous times in different Maryland counties, including Montgomery County, where I live and where it has previously been supported by the Montgomery County Council and the Montgomery County legislative delegation. Requiring good cause as a precondition for an eviction can be a policy that boosts the stability of the housing market by stabilizing families, neighborhoods, and communities to the benefit of all.

I respectfully urge a favorable report from the Committee in support of passage of HB0477.

HB0477_Ann Rubin_Fav.pdf

Uploaded by: ANNA RUBIN

Position: FAV

HB0477_Ann Rubin_FAV

April 1, 2024

Anna Rubin

Columbia, MD 21045

HB0477_Ann Rubin_FAVORABLE

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

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

FROM: Dr. Anna Rubin

My name is Anna Rubin. I am a resident of District 13. I am submitting this testimony supporting HB0477, "Good Cause Eviction". I am a member of Columbia Jewish Congregation and act as the co-chair of its Social Action Committee and a member of the CJC Standing for Racial Justice Committee. I am also co-chair of the Indivisible Howard County Immigration Action Team. I have always had the privilege of a roof over my head. When I moved to Howard County in 2002, I was able to buy a home and maintain a safe and comfortable home for my son. But I have watched the numbers of renters grow in my county and their hold on their dwellings to be precarious because of the shortage of housing and the power that landlords hold over tenants.

Ancient Jewish texts are full of laws about keeping homes safe for the people who live in them. The prophet Micah understood that housing is more than a roof over one's head and that to deny a person safe housing is not only robbing them in the present but also robbing their family for generations to come.

Every person, regardless of race or income, should have a safe and stable home. But some landlords think that their own profit is more important than safety and stability for Black and brown renters, and they let the buildings they own fall into disrepair, or throw whole families out on the street to try to squeeze more money out of the next renters.

- Nobody should lose their home because of the whims of their landlord.
- Landlords often retaliate against tenants who organize for their rights, demand that repairs be made, or complain about violations of laws about safe housing conditions. Sometimes this retaliation takes the form of refusing to renew their leases.
- "Just cause" laws protect tenants from this kind of retaliation, and from being evicted for no reason at all. These laws promote housing stability for tenants and neighborhoods.
- This bill would allow counties to adopt "good cause" laws that meet local needs.

I respectfully urge this committee to return a favorable report on HB0477.

Sincerely,

Dr. Anna Rubin

HB477_ArielleJuberg_Fav_4.1.24.pdf

Uploaded by: Arielle Juberg

Position: FAV

Dear Members of the Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group 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 working in collaboration with CASA de Maryland and Renters United. I am a resident of District 8. **I am testifying in support of HB477.**



Showing Up for Racial Justice

As a former renter, I know that finding affordable and safe housing is difficult. Renters in our state shouldn't live with the constant fear of displacement from lease-non-renewal evictions, especially when they have followed all the rules.

During the pandemic, as the rate of non-payment eviction was slowed by court delays and emergency rental assistance, lease-non-renewal evictions roughly doubled. A 2019 study from Princeton & the Eviction Lab found "just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution."¹ Without this bill, jurisdictions face preemption challenges to trying just cause eviction policies. This bill gives local legislatures the power to decide what's acceptable and when. It recognizes that local legislatures know how best to help their renters stay stably housed and able to contribute to the workforce and the economy.

HB477 was revised in the House. Landlords who have less than 6 rental units are exempt, and there is a firm state definition of good cause for lease non-renewal.

This issue goes beyond economics to long-standing racial inequities in housing policy. CASA recently reported that on November 22, 2023, seven residents of the Evergreen Terrace Apartments in Hyattsville, MD publicly denounced evictions that they believed were unjust, based on false evidence targeting immigrant and working-class families.² In October 2023, the National Equity Atlas reported an estimated 98,000 households were behind on their rent in Maryland.³ Of those, 79% of tenants are people of color, including Blacks, Latinx, and Native Americans. Crucially, 47% of those households include children, a disproportionate number of whom are Black and Brown, and social scientists have documented declining school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes as negative outcomes among children who experienced eviction.⁴

It is for these reasons that I am encouraging you to vote **in support of HB477**. Thank you for your time, service, and consideration.

Sincerely,
Arielle Juberg
3411 Upton Road
Baltimore, MD 21234

¹ <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

² <https://wearecasa.org/tenants-at-evergreen-terrace-apartments-call-out-discriminatory-and-unjust-evict/>

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⁴ https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf

HB0477_Local_Just_Cause_Termination_Provisions_MLC

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0477

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

Bill Sponsor: Delegate Wilkins

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0477 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of individuals and grassroots groups with members in every district in the state with well over 30,000 members.

This bill provides enabling legislation that would authorize a county to adopt, by local law or ordinance, provisions that prohibit a landlord from terminating a residential lease or refusing to renew a lease without just cause.

Evictions and non-renewals of leases have skyrocketed in Maryland. Approx. **34,000** households will likely face eviction next year. Roughly 1 in 10 evictions result in a shelter entry, meaning 1,700 households (4,420 individuals) will become homeless. This is an alarming rate of homelessness and it causes a very thorny problem. While needing to ensure that landlords rights are upheld, we also need to ensure that people are not turned out of their homes without just cause.

We believe that this bill strikes that balance. It does allow landlords to terminate a lease or refuse to renew when the tenant has engaged in disorderly or illegal conduct on the premises, or refuses to grant the landlord access to the property, or otherwise breaches the lease conditions. It does not allow the landlord to essentially evict the tenant without just cause and without notice.

We support this bill and recommend a **FAVORABLE** report in committee.

SB_HB0477_CharlesKoplik_FAV.pdf

Uploaded by: Charles Koplik

Position: FAV

Date of Hearing: April 2, 2024

Charles M. Koplik, Odenton, Maryland 21113

TESTIMONY ON HB0477- POSITION: FAVORABLE
**Landlord and Tenant - Residential Leases and Holdover Tenancies - Local
Good Cause Termination Provisions**

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

FROM: Charles M. Koplik

My name is Charles M. Koplik. I am a resident of District 21. I am submitting this testimony in support of HB0477, Local Good Cause Termination.

I am a member of the Jewish Community Relations Council (JCRC) of Howard County and chair its Anti-Racism Team. In addition, I serve as Vice Chair of the Jewish Federation of Howard County, and I am a member of Temple Isaiah of Fulton. I am also on the board of PATH (People Acting Together in Howard County), an organization of faith communities working together on social justice issues.

I was at the statehouse with JCRC and with PATH, lobbying for this legislation and our group included renters who were desperately worried about their security and the risk of eviction for no or little cause. You need to hear their stories and be responsible for their needs just as you look after the needs of landlords. Ancient Jewish texts say – “Those who lie in bed at night planning iniquity and designing evil...covet fields, and seize them; houses, and take them away. They defraud a person of their home; a person of their inheritance” — Micah 2: 1-3. The prophet Micah understood that housing is more than a roof over one’s head and that to deny a person safe housing is not only robbing them in the present but also robbing their family for generations to come.

Maryland has the highest rate of evictions of any US state bar none. That’s not a statistic to be proud of. In 2018, Maryland’s eviction filing rate was 69.6% – an extreme outlier rate compared to the national average of nearly 8% (Estimating Eviction Prevalence Across the United States, Ashley Gromis, Ian Fellows, James R. Hendrickson and Matthew Desmond).

Landlords often retaliate against tenants who organize for their rights, demand that repairs be made, or complain about violations of laws about safe housing conditions. Sometimes this retaliation takes the form of refusing to renew their leases. “Just cause” laws protect tenants from this kind of retaliation, and from being evicted for no reason at all. These laws promote housing stability for tenants and neighborhoods.

This bill would allow counties to adopt “just cause” laws that meet local needs to require landlords to renew residential leases unless they have a “just cause” to terminate the lease such as wanting to occupy the property themselves, having a close relative move in, taking the property off the market, and tenant breach of lease.

I respectfully urge this committee to return a favorable report on HB0477.

HB477 - Good Cause Eviction CLBell.pdf

Uploaded by: Christina Nemphos

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 de Maryland and Renters United. I am a resident of Maryland District 40 and live in the Medfield neighborhood of Baltimore. **I am testifying in support of HB477/SB644.**



Showing Up for Racial Justice

HB477 allows local jurisdictions to require a just basis for landlords to either refuse to renew or to cut off month-to-month/week-to-week leases. This legislation would enable local legislatures to pass their own laws, if they choose, limiting how and when lease non-renewals occur, requiring landlords to have a just cause to non-renew, or requiring landlords to prove a just cause in court. *Important to note is that this bill has been amended by the House to exempt landlords who have less than six rental units, and creates a firm state definition of what good cause for lease non-renewal is, as opposed to letting each jurisdiction define what is good cause and what isn't.*

During the COVID-19 pandemic, as the rate of non-payment eviction was slowed by court delays and emergency rental assistance, lease-non-renewal evictions roughly doubled. This means that working people and their children face the constant threat of displacement, even when they follow all the rules. They have no choice but to accept declining conditions and increasing rents just to stay in their communities. A 2019 study from Princeton & the Eviction Lab found “just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution.”¹ Without this bill, jurisdictions like Montgomery County and Baltimore City face preemption challenges to trying just cause eviction policies.

This issue goes beyond economics to long-standing racial inequities in housing policy. Our partners at CASA recently reported that on November 22, 2023, seven residents of the Evergreen Terrace Apartments in Hyattsville, MD publicly denounced evictions that they believed were unjust, based on false evidence targeting immigrant and working class families.²

In October 2023, the National Equity Atlas reported an estimated 98,000 households were behind on their rent in Maryland.³ Of those, 79% of tenants are people of color, including Blacks, Latinx, and Native Americans, and 47% of those households include children. For reference, people of color form less than half of this state's population; supporting their ability to remain in their homes ensures we stop perpetuating racial inequities, especially lifelong detriments suffered by children, as social scientists have documented declining school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes as negative outcomes among children who experienced eviction.⁴

Stable housing is a foundational need. Enabling the ability of local jurisdictions to pass just cause eviction legislation is an investment in racial equity and an investment in our collective future. It is for these reasons that I am encouraging you to vote **in support of HB477/SB644.**

Thank you for your time, service, and consideration.

Sincerely,
Christina Nemphos
1301 W. 42nd St, Baltimore, Md 21211
Showing Up for Racial Justice Baltimore

¹ <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

² <https://wearecasa.org/tenants-at-evergreen-terrace-apartments-call-out-discriminatory-and-unjust-evict/>

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⁴ https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf

CDN HB 477 FAVORABLE.pdf

Uploaded by: Claudia Wilson Randall

Position: FAV



Testimony HB 477
Senate Judiciary Committee
April 2, 2024
Position: FAVORABLE

Dear Chairman Korman and Members of the Environment and Transportation Committee:

The Community Development Network of Maryland (CDN) is the voice for Maryland’s community development sector and serves nearly 200 member organizations. CDN—focuses on small affordable housing developers, housing counseling agencies and community-based non-profits across the state of Maryland. The mission of CDN is to promote, strengthen and advocate for the community development sector throughout Maryland’s urban, suburban and rural communities. CDN envisions a state in which all communities are thriving and where people of all incomes have abundant opportunities for themselves and their families.

HB 477 - This is enabling legislation would give authority to Maryland counties to establish “just cause” or “good cause” limitations on lease non-renewals. That means local policymakers would be able to determine the kind of “just cause” policy that their locality needs, whether by type of building, for certain populations, or under certain circumstances such as a state of emergency. Without this enabling bill, counties are preempted from enacting legal protections for Maryland families who face increasingly unstable housing and fears of retaliation and displacement.

The end of a lease term is a particularly vulnerable time for low-income tenants. Landlords are not required to provide a reason for evicting a tenant at the end of a lease term or for evicting a tenant without a lease (i.e., a resident with a month-to-month tenancy). Moreover, landlords who are unable to evict a tenant during their lease term may choose not to renew the tenant’s lease and use the lease holdover as grounds for eviction. A tenant at the end of their lease is also at risk of unreasonable rental increases.

Just cause eviction laws aim to benefit tenants by:

- Protecting renters from evictions for no fault of their own.
- Delivering a sense of stability to tenants.
- Discouraging renters from self-evicting when they receive eviction notices
- Empowering tenants experiencing poor living conditions, discrimination, or other illegal landlord behavior to advocate for improvements with landlords or file complaints without fear of retaliation.

CDN supports fair protections for renters, such as just cause eviction standards to ensure greater housing stability and prevent arbitrary and harmful actions by landlords. Just Cause has a significant impact on communities. Affordable, stable, and accessible housing and robust housing choice are the foundation upon which just and equitable communities are built, but the power imbalance between renters and landlords puts renters at greater risk of housing instability, harassment, and homelessness and fuels racial inequity.

The consequences of evictions are deep and long lasting. Racial and ethnic minorities are more likely to experience poor health outcomes as a consequence of their social determinants of health, including access to health care, education, employment, economic stability, housing, and public safety.

Many cities including Philadelphia, Oakland, Washington D.C have had Just Cause laws since the 1980s. Research shows these laws are working. A 2019 California study measured the effects of just cause eviction laws and found that after these cities passed the ordinance, the reduction in overall eviction filings was statistically significant and noticeable.

And since evictions are associated with poorer health outcomes, lower educational attainment for children, and difficulty finding decent housing in the future, it's clear that preventing unnecessary evictions is a worthwhile goal.

We urge your favorable report for HB 477.

Submitted by Claudia Wilson Randall, Executive Director

HB0477_DanielleHerrmann_FAV.pdf

Uploaded by: Danielle Herrmann

Position: FAV

4/2/2024



Danielle Herrmann
Takoma Park/Silver Spring, MD 20912

TESTIMONY ON HB477 - FAVORABLE

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

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

FROM: Danielle Herrmann, MSW, LCSW-C, on behalf of Jews United for Justice (JUFJ)

My name is Danielle Herrmann and I am a resident of District 20. As a Maryland Medical Clinical Social Worker and an elderly member of Jews United for Justice, I am submitting this testimony in support of HB477, Local Good Cause Eviction enabling legislation, on behalf of JUFJ. Jews United for Justice organizes over 6,000 Jewish Marylanders and allies in support of local campaigns for social, racial, and economic justice.

Helping individuals and families navigate the challenges of living and taking action to advance the safety, dignity, and worth of every person, especially the most vulnerable among us, is a Jewish value. No one should live without a roof over their head, or the threat of landlord retaliation looming over them. Stories I have heard during my time as a Social Worker have furthered my belief in the importance of safe and stable housing.

I made a promise to my pediatric hospice patient before she died that I would share her story of living with housing insecurity. Originally from Guatemala, her name translates to "Star of the Sea." At age 11, she was the sole surviving clinical trial patient of her NIH research cohort. Knowing she was going to die she proudly stated, "I'm contributing to medicine to help find a cure for other children." Her father was a laborer and her mother cared for her 24/7, while raising her younger sister. As a family, they were also grieving the stillborn death of her brother. Due to a water main pipe leak in their yard that their landlord refused to fix, they could not afford to pay rent along with the astronomical water bills the leak was causing. They lived in terror of landlord retaliation and the weaponization of eviction.

When I conducted home health and hospice visits across Central Maryland, I frequently encountered devastating stories like my patients'. I met renters whose landlords refused to make essential repairs. Tenants shared with me their fears and experiences of landlord retaliation, lease renewal denial, and eviction for having complained about the conditions they

were living in. I witnessed the palpable strain on adults and children facing unbearable housing insecurity. I heard innumerable accounts of the adverse ripple effects of eviction displacement, which devastated their health, emotional stability, and human dignity. I saw the inequitable impact on brown, Black, Indigenous and immigrant, Elderly, Disabled, and LGBTQIA+ individuals, households, and communities.

“Just cause” eviction laws address these issues by providing essential remedies and safeguards for individuals, families, and those of us who advocate on their behalf. By promoting stable housing conditions, these laws strengthen neighborhood ties and community mental health. The House amended HB477 to add a small landlord exemption and expand the list for what constitutes “good cause.” **On behalf of Jews United for Justice, I respectfully and strongly urge this committee to support any sponsor amendments that address loopholes and ambiguities and return a favorable report on HB477.**

HB477 - Just Cause Eviction Enabling - in the Sena

Uploaded by: Daryl Yoder

Position: FAV

Dear Members of the Environment and Transportation 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 de Maryland and Renters United. I am a resident of District 44A and have been both a landlord and a renter in Baltimore County. **I am testifying in support of HB477.**



Showing Up for Racial Justice

HB477 allows local jurisdictions to require a just basis for landlords to either refuse to renew or to cut off month-to-month/week-to-week leases. This legislation would enable local legislatures to pass their own laws, if they choose, limiting how and when lease non-renewals occur, requiring landlords to have a just cause to non-renew, or requiring landlords to prove a just cause in court.

During the COVID-19 pandemic, as the rate of non-payment eviction was slowed by court delays and emergency rental assistance, lease-non-renewal evictions roughly doubled. This means that working people and their children face the constant threat of displacement, even when they follow all the rules. They have no choice but to accept declining conditions and increasing rents just to stay in their communities. A 2019 study from Princeton & the Eviction Lab found “just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution.”¹ Without this bill, jurisdictions like Montgomery County and Baltimore City face preemption challenges to trying just cause eviction policies. This bill gives local legislatures the power to decide what’s acceptable and when. It recognizes that local legislatures know how best to help their renters stay stably housed and able to contribute to the workforce and the economy.

This issue goes beyond economics to long-standing racial inequities in housing policy. Our partners at CASA recently reported that on November 22, 2023, seven residents of the Evergreen Terrace Apartments in Hyattsville, MD publicly denounced evictions that they believed were unjust, based on false evidence targeting immigrant and working class families.² In October 2023, the National Equity Atlas reported an estimated 98,000 households were behind on their rent in Maryland.³ Of those, 79% of tenants are people of color, including Blacks, Latinx, and Native Americans. Crucially, 47% of those households include children, a disproportionate number of whom are Black and Brown, and social scientists have documented declining school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes as negative outcomes among children who experienced eviction.⁴ People of color form less than half of this state’s population, and helping them remain in their homes ensures we stop perpetuating racial inequities, especially lifelong detriments suffered by children.

It is for these reasons that I am encouraging you to vote **in support of HB477.**

Thank you for your time, service, and consideration.

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⁴ https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf

Sincerely,
Daryl Yoder
309 Glenmore Ave.,
Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

HB0477_DavidFriedman_FAV (1).pdf

Uploaded by: David Friedman

Position: FAV

April 2, 2024
David M. Friedman
Silver Spring, MD 20905

TESTIMONY ON HB0477 - POSITION: FAVORABLE

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

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

FROM: David M. Friedman

My name is David Friedman. I am a resident of District 14 in Colesville/Cloverly. I am submitting this testimony in support of HB0477, Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions.

I am an active member of Oseh Shalom, a Jewish Reconstructionist congregation located in Laurel, MD. Jewish tradition emphasizes that every person, regardless of race or income, should have a safe and stable home. As a long-time homeowner, I also appreciate the importance of housing stability and am concerned about the challenges that many renters face in Maryland's dynamic housing market. Local Enabling Legislation for Good Cause Eviction (HB0477) - crossfiled with SB 644 by Senator Muse - would allow counties to adopt "Good Cause" eviction laws if they so choose. Some landlords refuse to renew leases when tenants organize for their rights, demand that repairs be made, or complain about violations of the law. "Good Cause" laws protect tenants from this kind of retaliation, while promoting housing stability for tenants, neighborhoods, and their larger communities.

The House amended the original bill to add a small landlord exemption and expand the list for what constitutes "good cause". I ask that you support sponsor amendments in the Senate that address loopholes and ambiguities in the House bill. Specifically, the bill would be stronger if, when determining whether a landlord has 6 or more units, the term "landlord" should include anyone who has an ownership interest in the landlord when the landlord is an LLC or partnership. Also, adding a verifiable standard for determining when a tenant is habitually late on the rent would create an objective standard for "Good Cause" for all parties.

By passing HB0477, Maryland would allow its counties to join cities like New York City, Philadelphia, and Washington, DC that provide Good Cause protection. Maryland's local jurisdictions should have all the tools they need to address the challenge of providing safe, fair, and affordable housing for residents. **I respectfully urge the Senate Judicial Proceedings Committee to return a favorable report on HB0477 in the strongest form possible.**

LDF Written Testimony HB 477 FINAL Senate.pdf

Uploaded by: David Wheaton

Position: FAV



**Written Testimony of David Wheaton
Economic Justice Law and Policy Fellow
NAACP Legal Defense and Educational Fund, Inc.**

**Submitted to the Judicial Proceedings Committee of
the Maryland State Senate
In Connection with the April 2, 2024 Hearing**

I. Introduction

My name is David Wheaton, and I am an attorney with the NAACP Legal Defense and Educational Fund, Inc. (LDF). LDF offers the following testimony in favor of Maryland House Bill 477, which would prohibit a landlord from failing to renew a lease or from terminating a holdover tenant without just cause. Holdover evictions, which just cause legislation would help eliminate, disproportionately affects Black Maryland residents. Just cause eviction protections are designed so that landlords can only evict renters for specific reasons. These protections are aimed at preventing retaliatory or discriminatory evictions. Moreover, a recent Princeton University study found jurisdictions that implemented just cause eviction laws experienced a lower eviction rate and lower eviction filing rates than those that did not.¹ This bill would help renters, particularly Black renters, avoid evictions without just cause and decrease housing insecurity. We urge the Maryland State Senate to pass it swiftly.

Founded in 1940 by Thurgood Marshall, LDF is the nation's oldest civil rights law organization. LDF was launched at a time when America's aspirations for equality and due process of law were stifled by widespread state-sponsored racial inequality. For more than 80 years, LDF has relied on the Constitution and federal and state civil rights laws to pursue equality and justice for Black people and other people of color, including fair housing opportunities for Black people.

¹ Julieta Cuellar, *Effect of "Just Cause" Eviction Ordinances on Eviction in Four California Cities*, Princeton University Journal of Public & International Affairs, May 21, 2019, <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

Some of LDF's early victories in the Supreme Court came in *Shelley v. Kramer*, 334 U.S. 1 (1948), and *McGhee v. Sipes*, 334 U.S. 1 (1948), which held that the state enforcement of racially-restrictive covenants violated the Equal Protection Clause. In the decades since those victories, LDF has continued to challenge public and private policies and practices that deny Black people safe and quality housing and free from discrimination. LDF's mission has always been transformative: to achieve racial justice, equality, and an inclusive society.

II. Due to Prior Discrimination, Black Marylanders are Disproportionately Renters—and Disproportionately Face Housing Instability and Hold Over Evictions

As a result of decades of discrimination in housing, lending, employment, and other areas, Black people are disproportionately likely to be renters, and are more likely to face evictions and other forms of housing instability.² Black households have the highest eviction removal count in Maryland—almost three times higher than the white resident eviction rate.³ HB 477 would protect renters from potential retaliation action from landlords, and will help avoid disproportionate harm to tenants of color, particularly Black tenants.

Black people are in need for tenant protections due to state sanctioned, racially discriminatory housing policies, which prevented Black homeownership and pushed Black residents to live in segregated areas of poverty. For decades, the federal government encouraged housing discrimination against communities of color through explicitly racist policies and practices.⁴ One federal housing policy that targeted Black Maryland residents was “redlining.” In the 1930s, the federal government endorsed existing patterns of housing discrimination against people and communities of color through a practice that became known as redlining.⁵ The former Federal Home Owners’ Loan Corporation (HOLC), established in 1933, used color-coded maps to represent the perceived risk of lending in particular neighborhoods, with “hazardous” (the highest risk) areas coded in red.⁶ HOLC routinely gave Black communities a “hazardous” rating, discouraging lending in those “redlined” areas.⁷ In Baltimore, while white neighborhoods tended to fall within the green which was the “best” grade and blue which meant “still desirable,” most of Baltimore’s Black neighborhoods, in east and south Baltimore, were almost exclusively

² Urban Institute, *The Ghosts of Housing Discrimination Reach Beyond Redlining: Subtitle Why Historical Redlining Maps Are Not Strong Predictors of Present-Day Housing Instability*, (March 15, 2023), <https://www.urban.org/features/ghosts-housing-discrimination-reach-beyond-redlining#:~:text=Because%20of%20a%20range%20of,housing%20cost%20burden%20and%20eviction.>

³ Tim Thomas, et al, *Baltimore Eviction Map*, The Eviction Study, (May 8, 2020), [https://evictionresearch.net/maryland/report/baltimore.html#:~:text=Black%20headed%20households%20had%20the,eviction%20rate%20of%205.2%25\).](https://evictionresearch.net/maryland/report/baltimore.html#:~:text=Black%20headed%20households%20had%20the,eviction%20rate%20of%205.2%25).)

⁴ Danyelle Solomon, et al., *Systematic Inequality: Displacement, Exclusion, and Segregation How America’s Housing System Undermines Wealth Building in Communities of Color*, Center for American Progress, (August 2019), <https://www.americanprogress.org/wp-content/uploads/sites/2/2019/08/StructuralRacismHousing.pdf>

⁵ BRUCE MITCHEL & JUAN FRANCO, National Community Reinvestment Coalition, *HOLC “REDLINING” MAPS: THE PERSISTENT STRUCTURE OF SEGREGATION AND ECONOMIC INEQUALITY* (2018), <https://ncrc.org/holc/>.

⁶ *Id.*

⁷ Richard Rothstein, *THE COLOR OF LAW: A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA* (2017).

“redlined.”⁸ Black neighborhoods in Baltimore suffered from high rents and poor-quality housing, and limited social and city services, leading to Grade D markings.⁹ Redlining led to long-term residential segregation and disinvestment in affected neighborhoods and drove the concentration of poverty in communities of color.¹⁰

While the Fair Housing Act of 1968 was passed to both prevent discrimination and reverse housing segregation, Black people continue to struggle to find safe, stable, and affordable housing. Due to historical and ongoing discrimination, there is a large and growing racial homeownership gap. In 2021, Black families had a homeownership rate of 46.4% compared to 75.8% of white families.¹¹ In Maryland, the white homeownership rate is 77% while the Black homeownership rate is 51%.¹² In majority Black Baltimore, the Black homeownership gap is 30.1%.¹³ Because they are locked out of homeownership, most Black people rent. In 2021, more than 50% of households headed by Black adults in the U.S. rent their homes according to national Census data.¹⁴ Not only do more Black residents rent, they are also disproportionately likely to spend more than 30% of their income on rent.¹⁵ In Baltimore: approximately 60% of Black renters are housing cost burdened compared to 47% of white renters.¹⁶ This makes residents more prone to evictions.

Evictions have in the past and will continue to have a disproportionate impact on Black Maryland residents. In Maryland, 1 in 4 Black children in rental households face the threat of eviction in a typical year.¹⁷ Furthermore, ZIP codes in Maryland with a higher percentage of Black renters face a higher rate of total evictions. According to a national analysis by the ACLU, Black

⁸ David Armenti and Alex Lothstein, *Baltimore’s Pursuit of Fair Housing: A Brief History*, Maryland Center for History and Culture, (2020), <https://www.mdhistory.org/baltimores-pursuit-of-fair-housing-a-brief-history/#:~:text=During%20the%20early%201900s%2C%20white.against%20and%20segregate%20Black%20Baltimoreans.>

⁹ Id.

¹⁰ Jason Richardson, et al, *Redlining and Neighborhood Health*, National Community Reinvestment Coalition, (2020), <https://ncrc.org/holc-health/>

¹¹ Rashawn Ray, Andre Perry, & David Harshbarger, *Homeownership, Racial Segregation, and Policy Solutions to Racial Wealth Equity*, Brookings Institute, September 1, 2021, <https://www.brookings.edu/articles/homeownership-racial-segregation-and-policies-for-racial-wealth-equity/>

¹² Stateline, *Black Families Fall Further Behind on Homeownership*, Maryland Matters, (October 15, 2022), <https://www.marylandmatters.org/2022/10/15/black-families-fall-further-behind-on-homeownership/#:~:text=The%20overall%20homeownership%20rate%20is,Black%20homeownership%20rate%20is%2051%25.>

¹³ Id.

¹⁴ U.S. Census Bureau, *Demographic Characteristics for Occupied Housing Units*, American Community Survey, 2019, [https://data.census.gov/table?q=Owner/Renter+\(Householder\)+Characteristics&tid=ACSST1Y2019.S2502](https://data.census.gov/table?q=Owner/Renter+(Householder)+Characteristics&tid=ACSST1Y2019.S2502)

¹⁵ National Low Income Housing Coalition, *Gap Report*, (March 16, 2023), <https://nlihc.org/gap>

¹⁶ Public Justice Center, *The Economic Impact of an Eviction Right to Counsel in Baltimore City*, (May 8, 2020), <https://cdn2.hubspot.net/hubfs/4408380/PDF/Eviction-Reports-Articles-Cities-States/baltimore-rtc-report-final-5-8-2020.pdf>

¹⁷ Maryland Eviction Prevention Funds Alliance, *Assessment of Maryland’s Need for Eviction Prevention Funds (EPF) and the Estimated Fiscal Impact of EPF*, (December 19, 2023), https://www.mdeconomy.org/wp-content/uploads/2023/12/Assessment-of-Marylands-Need-for-EPF-and-Directional-Fiscal-Impacts-of-EPF_FINAL_2023.12.19-1.pdf

renters had evictions filed against them at nearly twice the rate of their white peers.¹⁸ Research by the RVA Eviction Lab indicated that race bore a stronger relationship to eviction than poverty, property value, or a range of other factors.¹⁹ These burdens fall even harder on Black women, for whom 1 in 5 will face an eviction in their lifetime.²⁰

Black Maryland renters are also disproportionately affected by holdover evictions. Maryland is a "no cause" state – which means a landlord can decide to non-renew a lease without any stated cause. Most eviction filings are due to tenants being unable to afford rent, but because Maryland is a “no cause” state eviction filings can be initiated for a reason other than non-payment of rent, such as retaliation for raising concerns about the conditions of their residence or simply because the lease agreement has expired. These evictions are often referred to as “holdover” evictions. According to new research from LDF’s Thurgood Marshall Institute (TMI) Black Maryland renters are disproportionately affected by holdover evictions. The research using census data found that ZIP codes with a higher percentage of Black renters face a higher rate of holdover evictions. A 10-percentage-point increase in the percent of Black renters in a ZIP code is associated with a 22% increase in the rate of holdover evictions.

III. HB 477 will help give tenants much more robust tenant protections and reduce the rate of holdover evictions in the state.

Thousands of evictions occur without the landlord ever giving a reason why the tenant is being evicted.²¹ Particularly for vulnerable low-income tenants, just cause eviction protections benefit tenants by protecting renters from being evicted for no fault of their own and delivering a sense of stability to tenants.²² HB 477 also would help empower tenants experiencing poor living conditions to advocate for improvements with landlords or file complaints without fear of retaliation. Furthermore, a recent study found jurisdictions that implemented just cause eviction laws experienced a lower eviction rate and lower eviction filing rates than those that did not.²³

¹⁸ Sophie Beiers, Sandra Park & Linda Morris, *Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color*, AM. C.L. UNION (Jan. 10, 2020), <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color>.

¹⁹ Benjamin F. Teresa, *The Geography of Eviction in Richmond: Beyond Poverty*, RVA EVICTION LAB (2018), <https://cura.vcu.edu/media/cura/pdfs/cura-documents/GeographiesofEviction.pdf>

²⁰ Robert Collinson & Davin Reed, *The Effects of Evictions on Low-Income Household*, NYU L. (2018), https://www.law.nyu.edu/sites/default/files/upload_documents/evictions_collinson_reed.pdf

²¹ Rachel M. Cohen, *The Fight to Make it Harder for Landlords to Evict their Tenants*, Vox, (May 1, 2023), <https://www.vox.com/policy/2023/5/1/23697209/landlords-tenants-good-cause-just-cause-eviction-housing>

²² Lindsey Duvall and David Foster, *Advancing Tenant Protections: Just Cause Eviction Laws*, National Low income Housing Coalition (NLIHC), (February 7, 2023), <https://nlihc.org/resource/14-1-advancing-tenant-protections-just-cause-eviction>
[laws#:~:text=The%20end%20of%20a%20lease,laws%20benefit%20these%20tenants%20by%3A&text=Protecting%20renters%20from%20evictions%20for%20no%20fault%20of%20their%20own.&text=Delivering%20a%20sense%20of%20stability%20to%20tenants.](https://www.nlihc.org/resource/14-1-advancing-tenant-protections-just-cause-eviction)

²³ Julieta Cuellar, *Effect of “Just Cause” Eviction Ordinances on Eviction in Four California Cities*, Princeton University Journal of Public & International Affairs, May 21, 2019, <https://jppia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

Maryland is in the middle of a housing affordability crisis.²⁴ There are 207,554 extremely low-income households in Maryland, but only 61,469 affordable and available rental units.²⁵ A minimum wage worker in Maryland would have to work 94 hours a week at minimum to afford a 2-bedroom apartment.²⁶ Adding more stress to Maryland renters is the fact that rent prices in Maryland are higher than the national average.²⁷ With the shortage of affordable housing and increased cost for rental housing, it is important to ensure that low-income renters and renters of color are protected from unwarranted evictions. Just cause eviction protections allow for more tenants to be able to stay in their homes when landlords evict a tenant for an unspecified reason. Holdover evictions are increasing in Maryland, in January 2019, landlords filed 233 “tenant holding over” cases — compared to 607 in May of 2022.²⁸ Since August 2020 (when the courts reopened to evictions during the pandemic) through September 2023, holdover eviction filings have exceeded the pre-pandemic monthly average for 37 straight months, reflecting a 117% increase over that period.²⁹ HB 477 offers the possibility of significantly decreasing the number of holdover evictions by allowing local jurisdictions the ability to craft just cause policies to stop landlords from evicting tenants without just cause.

Holdover evictions can often be motivated by illegal discrimination based on race or retaliation. Black people live more frequently in unsafe subsidized housing,³⁰ which could lead to retaliatory actions by landlords. Landlords in low-income communities or developments are more likely to avoid routine maintenance on their units in order to increase their profit—a practice that can disproportionately harm renters of color. Low-income Black renters increasingly live in neighborhoods of concentrated poverty.³¹ In areas of concentrated poverty where property values are declining, landlords who fear that their property is depreciating in value will use various tactics

²⁴ Dwight A. Weingarten, *Maryland Housing Secretary Day Estimates 96,000-unit Housing Shortage. Bills Aim to Help*, *The Herald Mail*, (December 21, 2023),

<https://www.heraldmillmedia.com/story/news/state/2023/12/21/administrations-bills-aims-to-address-marylands-housing-crisis/71896971007/>

²⁵ National Low Income Housing Coalition, *Gap Report: Maryland*, (March 16, 2023), <https://nlihc.org/gap/state/md>

²⁶ National Low Income Housing Coalition, *Out of Reach: Maryland*, (2023), <https://nlihc.org/oor/state/md>

²⁷ Jack Fiechtner, *Rent Prices in Maryland are Higher than the National Average*, *ABC News*, (April 14, 2023), <https://www.wmdt.com/2023/04/rent-prices-in-maryland-are-higher-than-the-national-average/>

²⁸ Sophie Kasakove, Ryan Little and Nick Thieme, *For Some Maryland Landlords, Filing for Eviction is a Monthly Routine. Tenants Pay the Price*, *Baltimore Banner*, (August 31, 2022),

<https://www.thebaltimorebanner.com/community/housing/for-some-maryland-landlords-filing-for-eviction-is-a-monthly-routine-tenants-pay-the-price-HSUABD736VAUZOKX7VZDTR2L3A/>

²⁹ Jheanelle Wilkins, *‘Just cause’ Eviction Standard Protects Families, Encourages Fairness*, *Baltimore Banner*, (January 23, 2024), <https://www.thebaltimorebanner.com/opinion/community-voices/rental-housing-evictions-maryland-legislation-WMWG67BGQVHFLMDLX2WU353F2E/>

³⁰ Jill Rosen, *Study: Racial disparities in outcomes for those who grow up in subsidized housing have largely vanished*, *Johns Hopkins University*, (May 8, 2017), <https://hub.jhu.edu/2017/05/08/black-white-kids-in-public-housing-fare-similarly/#:~:text=Black%20families%20getting%20subsidized%20housing,impoverished%20neighborhoods%2C%20the%20study%20found.>

³¹ INSTITUTE OF METROPOLITAN OPPORTUNITY, EXECUTIVE SUMMARY: AMERICAN NEIGHBORHOOD CHANGE IN THE 21ST CENTURY (Apr. 2019), https://www.law.umn.edu/sites/law.umn.edu/files/metro-files/american_neighborhood_change_in_the_21st_century_-_executive_summary_-_4-2-2019.pdf (explaining that low-income residents are much more likely to live in areas that are economically declining rather than areas that are economically expanding).

to secure a higher annual rate of return to offset a potential loss when they sell their property later.³² One of those tactics is to cut back on maintenance, which can lead to tenants living in unbearable conditions.³³ Recently, a landlord in Maryland retaliated against multiple tenants by trying to evict them after they complained about the dangerous conditions.³⁴ It is often difficult for renters to prove a holdover eviction is discriminatory so many tenants leave their homes before a holdover eviction is filed to avoid permanently damaging their record, even if the potential eviction may be discriminatory or retaliatory.³⁵ Just cause eviction protections help give renters a better sense of housing security and empower them to hold landlords accountable for uninhabitable conditions without fear of retaliation. HB 477 would allow local jurisdictions to help protect tenants from a constant threat of displacement and help strengthen tenants' ability to complain about unsafe conditions without the threat of possible eviction.

As local, state, and national eviction moratoriums have ended and pandemic aid helping renters has faded, eviction filings have risen over 50% above pre-pandemic levels in some jurisdictions, nationally.³⁶ In Maryland, there was a total of 23,567 evictions combined in 2020, 2021, and 2022, which is an average of about 8,000 per year.³⁷ The last year before the moratorium, 2019, Maryland registered 21,676 evictions.³⁸ In 2023, with just nine months of reportable data, there were already 16,325 evictions in the state—double the number over the course of the entire prior year.³⁹ As discussed above, evictions in Maryland disproportionately affect Black Maryland renters.⁴⁰ Black households have the highest eviction removal count in Maryland.⁴¹ Just cause eviction protection can help reduce the number of evictions in Maryland. One study found local just cause eviction protection ordinances in four California cities lowered eviction rates in those

³² *Id.*

³³ *Id.*

³⁴ Rob Flaks, *Maryland Legal Aid files Lawsuit Against Somerset County Landlord Found to be Operating Without a License*, WMDT News, (June 14, 2023), <https://www.wmdt.com/2023/06/maryland-legal-aid-files-lawsuit-against-somerset-county-landlord-found-to-be-operating-without-a-license/>

³⁵ Connecticut Fair Housing Center, *Lets Talk About Expanding Just Cause Protections*, (December 7, 2023), <https://ctfairhousing.org/the-case-for-expanding-just-cause-eviction-protections/#>

³⁶ Michael Casey & R.J. Rico, *Eviction filings soar over 50% above pre-pandemic levels in some cities as rents increase*, PBS, June 17, 2023, <https://www.pbs.org/newshour/nation/eviction-filings-soar-over-50-above-pre-pandemic-levels-in-some-cities-as-rents-increase>

³⁷ Dwight A. Weingarten, *Evictions, Rising after Rent Assistance Ran Out, Back Near pre-pandemic Levels in Maryland*, Salisbury Daily Times, (December 6, 2023),

<https://www.delmarvanow.com/story/news/local/maryland/2023/12/06/marylands-rising-eviction-rate-renews-call-for-tenants-rights/71814753007/>

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Tim Thomas, et al, *Baltimore Eviction Map*, The Eviction Study, (May 8, 2020), <https://evictionresearch.net/maryland/report/baltimore.html#:~:text=Black%20headed%20households%20had%20the,eviction%20rate%20of%205.2%25>

⁴¹ *Id.*

cities.⁴² The research showed that just cause eviction protection policies had a significant and noticeable effect on eviction and eviction filing rates in those areas.⁴³

Nationally, other states have enacted just cause eviction protections. New Jersey, California, New Hampshire, Oregon, and Washington have all passed their own versions of statewide just cause eviction laws.⁴⁴ These protections have helped renters in these states stay in their homes and prevent landlords from evicting a tenant for an unwarranted reason. There also federal protections, the U.S. Department of Housing and Urban Development (HUD) requires all federally subsidized rental properties to provide just cause when they nonrenewing a lease.⁴⁵ Also, the U.S. Department of Treasury which administers the Low-Income Housing Tax Credit (LIHTC) Program, requires just cause to evict a person from a LIHTC unit.⁴⁶ There have also been two local jurisdictions in Maryland who have passed just cause eviction protections, but these protections cannot be fully enforced by the local jurisdictions until the state of Maryland passes HB 477. Baltimore and Montgomery County have both enacted just cause eviction protections after seeing an increase in landlords filing holdover evictions during the pandemic. In majority Black Baltimore, in 2020: In August and September alone, there were 233 tenant holding over cases, an 82% increase in activity from the same two-month period a year before.⁴⁷ HB 477 would allow these jurisdictions to fully enforce their local ordinances and keep more residents from experiencing housing instability.

IV. Conclusion

Black Maryland renters are disproportionately harmed by holdover evictions. Landlords are increasingly evicting Black renters for no fault of their own, which furthers housing inequality. HB 477 would allow local jurisdictions the ability to protect their residents from unwarranted holdover evictions. Landlords would have to give a codified reason for not extending or renewing the lease. This added layer of protection helps decrease housing instability for Black renters and is an important step toward ensuring a more equitable relationship between landlords and tenants.⁴⁸

⁴² Julieta Cuellar, *Effect of “Just Cause” Eviction Ordinances on Eviction in Four California Cities*, Princeton University Journal of Public & International Affairs, May 21, 2019, <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

⁴³ Id.

⁴⁴ Lindsey Duvall and David Foster, *Advancing Tenant Protections: Just Cause Eviction Laws*, National Low income Housing Coalition (NLIHC), (February 7, 2023), <https://nlihc.org/resource/14-1-advancing-tenant-protections-just-cause-eviction>
[laws#:~:text=The%20end%20of%20a%20lease,laws%20benefit%20these%20tenants%20by%3A&text=Protecting%20renters%20from%20evictions%20for%20no%20fault%20of%20their%20own.&text=Delivering%20a%20sense%20of%20stability%20to%20tenants](https://www.hud.gov/sites/documents/RFS8_RENEWAL_OF_LEASE.PDF)

⁴⁵ The U.S. Department of Housing and Urban Development (HUD), Fact Sheet: Renewing Your Lease, (2022), https://www.hud.gov/sites/documents/RFS8_RENEWAL_OF_LEASE.PDF

⁴⁶ 26 U.S.C. §42(h)(6)(E)(ii)(I)

⁴⁷ Hallie Miller, *During Maryland Rent Moratorium, More Landlords Using Legal ‘Loophole’ as Means to Evict*, Baltimore Sun, (December 30, 2020), <https://www.baltimoresun.com/2020/12/30/during-maryland-rent-moratorium-more-landlords-using-legal-loophole-as-means-to-evict/>

⁴⁸ Lindsey Duvall and David Foster, *Advancing Tenant Protections: Just Cause Eviction Laws*, National Low income Housing Coalition (NLIHC), (February 7, 2023)

For the reasons stated above, LDF strongly encourages the passage of HB 477 and urges that Maryland do more to stop unwarranted holdover evictions against Maryland renters.

Thank you for the opportunity to testify. If you have any questions, please contact David Wheaton, Economic Justice Policy Fellow, at dwheaton@naacpldf.org, or Amalea Smirniotopoulos, Senior Policy Counsel and Co-Manager of the Equal Protection Initiative, at asmirniotopoulos@naacpldf.org.

HB0477-JPR_MACo_SUP.pdf

Uploaded by: Dominic Butchko

Position: FAV



House Bill 477

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

MACo Position: **SUPPORT**

To: Judicial Proceedings Committee

Date: April 2, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** HB 477. The bill would authorize counties to establish laws preventing landlords from failing to renew or terminating leases without just cause.

Several counties have sought the authority from HB 477 to protect vulnerable constituents facing eviction for reasons outside of their control. Throughout the COVID-19 pandemic, evictions have received increased scrutiny as average household debt due to unpaid rent and volatility in the employment marketplace reached significantly elevated levels. HB 477 simply provides a tool for counties to prevent housing instability and inequity tailored to the needs of their respective communities.

Altogether, this bill provides county autonomy to address the housing needs of Marylanders continuing to face challenges even as the worst of the pandemic has abated. For this reason, MACo **SUPPORTS** HB 477 and urges a **FAVORABLE** report.

Testimony in Favor SB644 Senatre. Elzie Walker 4.2

Uploaded by: Elzie Walker

Position: FAV

TESTIMONY
Maryland General Assembly
Judicial Proceedings Committee
In Favor of SB644—Just Cause, Local Enabling

Elzie Walker 301-588-3987
President of the Arrive Wheaton Tenants Association.
April 2, 2024

Good afternoon, Chairman Smith and Vice Chair Waldstreicher and Committee Members. My name is Elzie Walker and I have been a renter for more than two decades. I have been a renter at Arrive Wheaton for almost six years. I am the president and co-founder of the newly formed Arrive Wheaton Tenants Association. Our community has about 600 apartment homes housing a diverse community.

Recently, my renter community was taken over by a corporation based in California. Soon after the takeover, new management began what we believe is a campaign to target low income and active tenants like me pursuing promised and required services and our rights.

After a series of abusive communications from the new management and a reduction in amenities without any reduction in rent, I and several other residents began to organize a tenants association. Despite numerous attempts by management to obstruct our efforts, we elected officers in January and soon after the officers received notices to vacate without any explanation as to why.

We know the reason. We are being retaliated against for seeking our rights and working collectively to improve the quality of life in our community.

Without just-cause protection, our abusive property management and landlord have unfair advantage over us. We are afraid of losing our homes without justification and this must stop.

I thank the House of Delegates for voting in favor of this legislation 96-35, and to Senator Muse and the cosponsors here in this committee, and all of you who support this important legislation.

I and my neighbors urge a favorable report.

Thank you

###

Cross-over HB477 - Just Cause Eviction Enabling.pd

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 working in collaboration with CASA de Maryland and Renters United. I am a resident of 12. I and my partner are also the landlords of a single property in Howard County. **I am testifying in support of HB477.**



Showing Up for Racial Justice

HB477 allows local jurisdictions to require a just basis for landlords to either refuse to renew or to cut off month-to-month/week-to-week leases.

During the COVID-19 pandemic, as the rate of non-payment eviction was slowed by court delays and emergency rental assistance, lease-non-renewal evictions roughly doubled. Working people and their children face the constant threat of displacement, even when they follow all the rules. They have no choice but to accept declining conditions and increasing rents just to stay in their communities. A 2019 study from Princeton & the Eviction Lab found “just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution.”¹

This issue goes beyond economics to long-standing racial inequities in housing policy. Our partners at CASA recently reported that on November 22, 2023, seven residents of the Evergreen Terrace Apartments in Hyattsville, MD publicly denounced evictions that they believed were unjust, based on false evidence targeting immigrant and working class families.² In October 2023, the National Equity Atlas reported an estimated 98,000 households were behind on their rent in Maryland.³ Of those, 79% of tenants are people of color, including Blacks, Latinx, and Native Americans. Crucially, 47% of those households include children, a disproportionate number of whom are Black and Brown, and social scientists have documented declining school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes as negative outcomes among children who experienced eviction.⁴

Last year when I testified, I heard large landlords cry, "Think of the Mom & Pop landlords!" I do not wish to be the boogeyman for this policy. Once in 7 years, my partner and I made the tough decision to file an eviction. Had a just cause law been in place, we could have given several good reasons. It doesn't sit right that large landlords and their lobbyists will claim you have to protect me by blocking this law. But those who summon the boogeyman have their reasons. In 2022, a study in the UNC journal "Social Forces"⁵ covering over 4 million property records around Boston found something pertinent. Large landlords filed 2-3 times as many evictions as small ones like me. They also filed when they were owed less money and even as a strategy to collect rent. Small landlords, meanwhile, maintain closer relationships with tenants. We know eviction is and should be a last resort. We already make sure we have a solid reason before we file, so asking us to put that to paper is not the strenuous request our larger colleagues claim.

Fortunately, I have more faith in my fellow landlords than they have in me. I believe they can run their businesses while providing reasons for any evictions they must file.

It is for these reasons that I am encouraging you to vote **in support of HB477**. 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://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

² <https://wearecasa.org/tenants-at-evergreen-terrace-apartments-call-out-discriminatory-and-unjust-evict/>

³ <https://nationalequityatlas.org/rent-debt>

⁴ https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf

⁵ <https://doi.org/10.1093/sf/soab063>

MD Catholic Conference_HB 477_FAV SENATE CROSS.pdf

Uploaded by: Garrett O'Day

Position: FAV



MARYLAND
CATHOLIC
CONFERENCE

April 2, 2024

HB 477

**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 House Bill 477. 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.

House Bill 477 authorizes a county to enact local laws or ordinances that prohibit a landlord of residential property from failing to renew a lease during the lease term or seeking to terminate a holdover tenancy without just cause.

Current Maryland law does not allow local legislatures to decide how best to help their renters stay stably housed. As such, working individuals and their families face the threat of displacement even if they are up to date on rent and have adhered to all their lease's requirements. This legislation will help to boost the stability of the housing market by stabilizing families, neighborhoods, and communities to ensure our most vulnerable Marylanders remain housed.

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.

With the ever-increasing price of housing and rent in particular, this bill might allow those in jeopardy of losing their housing some temporary relief. Accordingly, the Conference appreciates your consideration and, for these reasons, respectfully requests a favorable report on House Bill 477.

HB 477 - SUPP - JPR - 2nd - Housing - Good Cause

Uploaded by: Henry Bogdan

Position: FAV



marylandnonprofits.org

1500 Union Avenue | Suite 2500 | Baltimore, MD 21211
410.727.6367 | 800.273.6367 | Fax 410.235.2190

April 2, 2024

Testimony on House Bill 477
Landlord and Tenant - Residential Leases and Holdover Tenancies –
Local Good Cause Termination Provisions
Senate Judicial Proceedings Committee

Position: Favorable

Maryland Nonprofits is a statewide association of more than 2000 nonprofit organizations and institutions across our State. The nonprofit community serves various needs of Maryland families suffering economic and social hardships. Housing instability is a major challenge for them, and a major hurdle to their economic self-sufficiency. House Bill is very similar to Senate Bill 644, except that the House has limited the effect of any local law to landlords owning 6 or more rental units in that county. We are asking you to support House Bill 477 to authorize local governments to enact “good cause” protections against non-renewal of residential leases.

Under House Bill 477 local policymakers would be able to determine the kind of “good cause” policy that their locality needs, whether by type of building, for certain populations, or under certain circumstances such as a state of emergency. **Without this enabling bill, counties are preempted from enacting legal protections for Maryland families who face increasingly unstable housing and fears of retaliation and displacement.**

Maryland is currently a “no cause” state – that is, a landlord can decide to non-renew without any stated cause. This means that working families and their children face the constant threat of displacement, even when they pay their rent follow all the rules. They are under constant pressure to stay quiet and accept declining conditions, arbitrary policies, and increasing rents just to stay in their communities and keep their children in their local school. Or, they can speak up – on their own or as a group – and face a likely “non-renewal” at the end of their lease and displacement from their community.

This legislation is needed now! Maryland has seen a spike in the number of no-cause, evictions known as “Tenant Holding Over” evictions— a 117% increase in average Tenant Holding Over complaint filings each month since 2020. This mirrors a national trend in which “[n]early half of U.S. renter households reported experiencing significant pressure to move during the previous



6 months.”¹ **In addition to increasing rents and fewer market options, Maryland families face the specter of non-renewal and displacement now more than ever.**

"Good cause" eviction prevention addresses this uncertainty by providing that a landlord must disclose the reason for choosing not to renew. HB 477 provides a list of options for what "good cause," as adopted by a county, could include, such as substantial lease violations, illegal activities, removal of the property from the market, or personal use of the property by the owner. Requiring landlords to disclose the reason for a lease non-renewal helps ensure that no eviction takes place under a cover of silence that can hide discriminatory intent. HB 477's list reflects the policies other U.S. jurisdictions that have enacted. To be clear, this is a list that localities are free to adopt or change to meet local housing needs.

Since 2008, just cause eviction legislation has been introduced 9 times – including multiple statewide bills, as well as bills specific to Prince George's County and Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require 'just' cause for lease non-renewals until 6 months after the state of emergency's end. These efforts demonstrate a sustained desire in Maryland localities for the authority to enact just cause.

At least 5 states, the District of Columbia (since 1985), and 16 localities including Philadelphia (since 2018) have adopted just cause eviction laws. New Jersey's just cause law (since 1974) demonstrates that the benefit of just cause far outweighs the hypothetical that it hurts development. ["Something in the Garden State is clearly working. According to data from the Eviction Lab, New Jersey cities such as Trenton, Paterson, Jersey City, and West New York have among the lowest eviction rates in the country. Meanwhile, construction is absolutely exploding."](#)

Additionally, looking at 4 localities in California, a [2019 Princeton/Eviction Lab](#) study finds that "just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution."

House Bill 477 recognizes that numerous counties in Maryland want to assist renting families with stable housing so that they are able contribute long-term to the workforce and the local economy. Requiring that a landlord state a legitimate reason for an eviction through lease non-renewal eviction boosts the stability of families, neighborhoods, and communities.

We urge you to give House Bill 644 a FAVORABLE REPORT.

¹ HUD Office of Policy Development and Research, "Pressure to Move and Forced Moves Among U.S. Renter Households: Findings From New Questions in the Household Pulse Survey" (Sept. 19, 2023) (based on June-Aug. 2023 data).

HB477 - Just Cause Eviction Enabling - in the Sena

Uploaded by: Holly Powell

Position: FAV

Dear Members of the Environment and Transportation 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 de Maryland and Renters United. I am a resident of **District 46**. **I am testifying in support of HB477.**

HB477 allows local jurisdictions to require a just basis for landlords to either refuse to renew or to cut off month-to-month/week-to-week leases. This legislation would enable local legislatures to pass their own laws, if they choose, limiting how and when lease non-renewals occur, requiring landlords to have a just cause to non-renew, or requiring landlords to prove a just cause in court.

During the COVID-19 pandemic, as the rate of non-payment eviction was slowed by court delays and emergency rental assistance, lease-non-renewal evictions roughly doubled. This means that working people and their children face the constant threat of displacement, even when they follow all the rules. They have no choice but to accept declining conditions and increasing rents just to stay in their communities. A 2019 study from Princeton & the Eviction Lab found "just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution."¹ Without this bill, jurisdictions like Montgomery County and Baltimore City face preemption challenges to trying just cause eviction policies. This bill gives local legislatures the power to decide what's acceptable and when. It recognizes that local legislatures know how best to help their renters stay stably housed and able to contribute to the workforce and the economy.

This issue goes beyond economics to long-standing racial inequities in housing policy. Our partners at CASA recently reported that on November 22, 2023, seven residents of the Evergreen Terrace Apartments in Hyattsville, MD publicly denounced evictions that they believed were unjust, based on false evidence targeting immigrant and working class families.² In October 2023, the National Equity Atlas reported an estimated 98,000 households were behind on their rent in Maryland.³ Of those, 79% of tenants are people of color, including Blacks, Latinx, and Native Americans. Crucially, 47% of those households include children, a disproportionate number of whom are Black and Brown, and social scientists have documented declining school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes as negative outcomes among children who experienced eviction.⁴ People of color form less than half of this state's population, and helping them remain in their homes ensures we stop perpetuating racial inequities, especially lifelong detriments suffered by children.

It is for these reasons that I am encouraging you to vote **in support of HB477.**

Thank you for your time, service, and consideration.

Sincerely,

Holly Powell

2308 Cambridge Street

Baltimore, Maryland 21224

Showing Up for Racial Justice Baltimore



Showing Up for Racial Justice

¹ <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

² <https://wearecasa.org/tenants-at-evergreen-terrace-apartments-call-out-discriminatory-and-unjust-evict/>

³ <https://nationalequityatlas.org/rent-debt>

⁴ https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf

HB477_JacobSimone_FAV.pdf

Uploaded by: Jacob Simone

Position: FAV

April 2, 2024

Jacob Simone
Baltimore, MD 21211

TESTIMONY ON HB0477/SB0644 - FAVORABLE

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

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

FROM: Jacob Simone

My name is Jacob Simone and I am a resident of District 40. I am submitting this testimony in support of HB0477/SB0644, Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Just Cause Termination Provisions.

I am a landlord with a rental property in District 10 in Baltimore County, and I rent and live in an apartment in Baltimore City. I am a proud member of the Jewish community and belong to Beth Am Synagogue in Reservoir Hill. Jewish teachings are explicit about the importance of safe and stable housing for people and families. Every person, regardless of race or income, should have a safe and stable home.

The tenants of my rental property are a married couple who had trouble paying their monthly rent this year because one of them lost their job. Instead of evicting them, I worked with them to pay off their balance - and I'm still doing so. We all experience hardship, and losing the roof over your head as a result makes it exponentially harder to recover from whatever is ailing us. Individuals or families that lose their home face dire consequences from potential homelessness to difficulties accessing employment, transportation, health care, food, education. Especially when there isn't a breach of the lease, keeping people in their homes should be a priority.

While HB0477 would still give landlords the ability to evict or not renew a lease due to the tenants' lack of rent payment, this legislation is an important step to keeping renters in their homes *without infringing on the rights of landlords*. This bill would allow counties to adopt "just cause" laws that meet local needs to require landlords to renew residential leases unless they have a "just cause" to terminate the lease, such as wanting to occupy the property themselves, having a close relative move in, taking the property off the market, and tenant breach of lease.

Keep tenants in their homes. Make landlords AT LEAST cite a reason for non-renewal of a lease. We all benefit when our neighbors are housed and have housing stability. I respectfully urge this committee to return a favorable report on HB0477/SB0644.

HB 477, FAV, FCG, OCE, JF, LS24, JPR.pdf

Uploaded by: Jessica Fitzwater

Position: FAV



FREDERICK COUNTY GOVERNMENT
OFFICE OF THE COUNTY EXECUTIVE

Jessica Fitzwater
County Executive

**HB 477 – Landlord and Tenant – Residential Leases and Holdover Tenancies – Local
Just Cause Termination Provisions**

DATE: April 2, 2024
COMMITTEE: Senate Judicial Proceedings Committee
POSITION: Favorable
FROM: The Office of Frederick County Executive Jessica Fitzwater

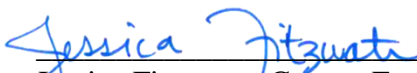
As the County Executive of Frederick County, I urge the committee to give HB 477 – Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Just Cause Termination Provisions a favorable report.

This bill will authorize a County to adopt provisions prohibiting a landlord of residential property from failing to renew a lease or from terminating a holdover tenancy without just cause.

Currently, renters in Maryland have few protections against unjust evictions or the failure of a landlord to renew a lease. Currently, over the one-third of Maryland families rent their homes and depend on reliable properties and landlords. An unjust eviction or failure to renew a lease can have devastating impacts on these families. As rental prices and the cost of buying a home have increased in recent years due to inflation and a housing stock shortage, legislation to protect renters is more important than ever. Under current State law, a landlord can refuse to renew a lease or evict a tenant with just 60 days' notice. This puts families in a difficult position to find new housing within their budget.

HB 477 is vital to protecting all renters in Maryland. Everyone deserves to have reliable housing, regardless of if they rent or own their home. Protecting renters is especially important because the current law places a disproportionately heavy burden on low-wage renters with fewer housing options in an increasingly unaffordable housing market. Oftentimes the families who experience these unjust evictions are those of color, single-parent families, and immigrant families, widening inequity across the State. HB 477 is a crucial step to ensuring that all Marylanders have access to safe and reliable housing.

Thank you for your consideration of HB 477. I urge you to advance this bill with a favorable report.



Jessica Fitzwater, County Executive
Frederick County, MD

Delegate Wilkins The Baltimore Banner Op-Ed.pdf

Uploaded by: Jheanelle Wilkins

Position: FAV

Commentary: 'Just cause' eviction standard protects families, encourages fairness

Jheanelle Wilkins

1/23/2024 5:30 a.m. EST



Jheanelle Wilkins represents District 20 in the House of Delegates and is chairwoman of the Legislative Black Caucus. (Courtesy of Jheanelle Wilkins)

Maryland lawmakers should give counties and Baltimore authority to implement legislation

Sam rents an apartment in Salisbury with his young son. In September 2023, he received a notice that his property manager was not renewing his lease. He was given just 60 days to remove all personal belongings and turn in his keys with no explanation for this decision or any way to appeal it. Sam tried to reason with the landlord about how this abrupt move would impact his job and the challenges it posed for his son, who has a disability and would have to switch schools midyear.

Cristina has lived in the same apartment building in Baltimore since 2013. In 2021, she survived an incident of domestic violence that required police intervention. Her landlord became aware of the disruption and sent a notice to nonrenew her lease. The landlord also sent a notice of nonrenewal to her sister who lives in the same building. Because she had nowhere to relocate, she was unable to vacate the apartment, leading the landlord to initiate eviction proceedings.

Despite these eviction attempts, both Sam and Cristina were able to remain in their homes because they reside in federally subsidized rental properties that require "good cause" when they nonrenew a lease.

More on Maryland eviction policies

- [As evictions and expenses rise, Maryland renter coalition pushes for more aid](#)
- [Baltimore housing authority dismisses 200 eviction cases after tenants allege violations](#)
- [With eviction 'crisis' on the horizon, state budget includes no additional money for rent assistance](#)

Unfortunately, most Maryland residents who rent their homes lack this protection against unfair lease nonrenewals and end-of-lease evictions. Since August 2020 (when the courts reopened to evictions during the pandemic) through September 2023, these end-of-lease filings have exceeded the pre-pandemic monthly average for 37 straight months, reflecting a 117% increase that has held steady throughout the COVID-19 emergency and post-emergency periods.

As we grapple with the challenges of housing affordability and security, it is imperative to consider legislative measures that strike a balance between the landlords' autonomy and the state's deep interest in family stability.

Ensuring a stringent standard for evictions in Maryland is essential, particularly for the 32% of residents who rely on renting as their housing choice. An eviction has dire, long-term consequences for any Maryland family that experiences one. A family that loses the roof over its head for any reason is pushed into a

debilitating spiral — from potential homelessness to difficulties accessing employment, transportation, health care, food, education and so much more.

With the rising cost of housing and the stigma of an eviction, the ability to rent another home after an eviction is sometimes insurmountable. With as little as 60 days' notice and for no reason at all, a landlord can decide not to renew a lease — even if a tenant is paying rent on time and following all the rules.

Under just cause eviction legislation, landlords would be required to provide a reason in their notice of lease nonrenewal. While it wouldn't prohibit landlords from opting not to renew a lease, it would mandate that such displacement occurs for valid reasons. The current legislation serves as an enabling measure, granting the authority — rather than imposing a mandate — for counties and Baltimore to implement just cause eviction legislation if they so desire.

By establishing clear and reasonable criteria for eviction, this legislation would ensure that landlords have legitimate reasons for ending a tenancy. This not only protects tenants from unfair treatment but also encourages responsible and ethical practices within the rental market. A level playing field benefits both parties, fosters healthier landlord-tenant relationships and empowers tenants to speak up without fear of eviction.

At its core, just cause eviction legislation would safeguard tenants from arbitrary and unjustifiable evictions, offering a layer of protection that is essential in today's dynamic housing landscape. The current absence of such policies leaves tenants vulnerable to sudden and disruptive displacements, perpetuating a cycle of housing instability that affects the fabric of our communities.

Critics argue that just cause eviction legislation impedes the rights of landlords, but it is crucial to recognize that it does not undermine legitimate business interests. Instead, it sets a standard for responsible property management, encouraging landlords to maintain properties and address tenant concerns promptly. Ultimately, it keeps families, workers, students and seniors rooted in their communities. Historically, federal and state laws have intervened to ensure safe and equitable access to housing and necessary requirements of leases.

Maryland is out of step with states that either require just cause or allow localities to pass their own just cause bills if they so desire. Just cause eviction has become the legal standard in more than 15 states and jurisdictions, including the District of Columbia, New Hampshire, New Jersey, Washington, Oregon, Philadelphia and New York City. As our laboratories of democracy, Maryland's local jurisdictions should be given all the tools they need to address the challenge of providing safe, fair and affordable housing for residents.

Just cause eviction legislation is a necessary step toward a fairer, more stable housing environment in Maryland as well as a housing market that truly serves the needs of all. It will give Maryland counties the authority to implement the protections that helped Sam and Cristina to stay in their homes.

As we begin the 2024 legislative session, it is time for the Maryland General Assembly to make just cause eviction a vital component of a more equitable and sustainable housing future.

Jheanelle Wilkins represents District 20 in the House of Delegates and is chairwoman of the Legislative Black Caucus.

HB477 - 2024 JW Good Cause Evictions Testimony for

Uploaded by: Jheanelle Wilkins

Position: FAV

JHEANELLE WILKINS
Legislative District 20
Montgomery County

Vice Chair, Ways and Means
Committee

Rules and Executive Nominations
Committee

Chair

Legislative Black Caucus of Maryland



The Maryland House of Delegates
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Jheanelle.Wilkins@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

April 2, 2024

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

Dear Colleagues,

House Bill 477, Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions is a statewide enabling bill authorizing a county, including Baltimore City, to adopt by local law or ordinance provisions prohibiting a landlord of residential property from failing to renew a lease during the lease period or from terminating a holdover tenancy without good cause.

Housing is a basic human need, and the urgency for housing security should be a priority during this legislative session.

Displacement from a home has a tremendous negative impact on vulnerable residents in our community and can lead to difficulty finding and maintaining a job, student transiency, and homelessness, among other negative impacts. Our current system creates an imbalance of power when a landlord can remove a tenant from their home with just 60 days' notice and no reason provided, causing many residents to avoid reporting unsafe conditions or requesting necessary repairs out of fear of retaliation.

I'm proud to introduce House Bill 477 to protect our residents and vulnerable neighbors from unjust eviction while giving localities the option to enact county legislation in accordance with state law. This statewide enabling legislation allows jurisdictions to determine their own Good Cause stipulations.

For these reasons, I urge your **favorable vote** on **House Bill 477**.

Sincerely,

A handwritten signature in cursive script that reads "Jheanelle Wilkins".

Delegate Jheanelle Wilkins

HB0477_JoShifrin_FAV (2).pdf

Uploaded by: Jo Shifrin

Position: FAV

HB0477_JoShifrin_FAV

Hearing Date: February 13, 2024

Jo Shifrin

Bethesda, MD 20817

Testimony for HB0477 - Position: FAVORABLE
Landlord and Tenant - Residential Leases and Holdover
Tenancies - Local Just Cause Termination Provisions

To: Delegate Marc Korman, Chair, and Delegate Regina T. Boyce, Vice Chair, and members of the Environment and Transportation Committee

From: Jo Shifrin

My name is Jo Shifrin. I am a resident of District 16. I am submitting this testimony in support of HB0477, Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Just Cause Termination Provisions.

I am a retiree, a Jew, and a resident of Montgomery County for the past 10 years. My support for this legislation comes from my grounding in Jewish values and my training in public health. Judaism offers a moral framework: make the world a more fair and equitable place and help everyone receive what they need to live a safe and healthy life. From a public health perspective, housing is a basic human right without which people can be harmed both psychologically and physically. The loss of a home can result in the potential loss of employment, the interruption of children's education, and the loss of personal property.

Allowing the passage of this bill will not prevent a landlord from evicting a tenant who doesn't pay rent, damages the property, engages in unlawful or disruptive activities, or in other "just causes." But it will protect good tenants who pay their rent, prevent their rental unit from being damaged, and who are good neighbors. It is only meant to prevent landlords from evicting tenants who have annoyed the landlord by asking for repairs to the rental property, and/or because the landlord believes that by getting new tenants, he/she will be able to significantly raise the rent on the rental unit.

HB0477 would make it difficult for landlords to evict good tenants who deserve to remain in their homes. **I respectfully urge this committee to return a favorable report on HB0477.**

HB 477_MD Center on Economic Policy_FAV.pdf

Uploaded by: Kali Schumitz

Position: FAV

Local Governments Should Have the Authority to Pass Protections for Renters

Position Statement Supporting House Bill 477

Given before the Senate Judicial Proceedings Committee

People should not be forced out of their homes through no fault of their own, but Maryland law currently allows landlords to evict tenants or not renew a lease without providing a basic reason. **The Maryland Center on Economic Policy supports House Bill 477 because we feel that housing is a basic human right and landlords should be allowed to unjustly elect to not renew a tenant lease.**

HB 477 is enabling legislation that would give authority to Maryland counties to establish “just cause” or “good cause” limitations on lease non-renewals. That means local policymakers would be able to determine the kind of “just cause” policy that their locality needs, whether by type of building, for certain populations, or under certain circumstances such as a state of emergency. The bill has been significantly amended in the House to define and expand the list of what constitutes a “good cause” and to exempt owners of five or fewer units.

We also urge you to support sponsor amendments that would close the corporate landlord loophole – allowing corporate landlords to claim that they are exempt small landlords when they are not (p. 3, line 31) – and better define “habitual failure to pay rent” by the number of rent judgments that the tenant has rather than the ambiguous statement in the current bill (p.5, line 5).

Maryland is currently a “no cause” state – that is, a landlord can decide not to renew a lease without any stated cause. This means that working families and their children face the constant threat of displacement, even when they follow all the rules. They are under constant pressure to stay quiet and accept declining conditions, arbitrary policies, and increasing rents just to stay in their communities and keep their children in their local school. Or, they can speak up – on their own or as a group – and face a likely “non-renewal” at the end of their lease and displacement from their community.

Without this enabling bill, counties are preempted from enacting legal protections for Maryland families who face increasingly unstable housing and fears of retaliation and displacement. Giving local policymakers this authority will align the state with best practices from around the country and seek to put limits on “no cause” decisions by landlords. Without HB 477, local efforts are stymied by legal concerns around preemption. Based on available research, Maryland is one of only six states in the country that preempts localities from enacting just cause eviction policies. Other states at least allow localities to pass their own just cause eviction laws.

Maryland has seen a spike in the number of no-cause, evictions known as “tenant holding over” evictions– a 117% increase in average tenant holding over complaint filings each month since 2020. This mirrors a national trend in which “[n]early half of U.S. renter households reported experiencing

significant pressure to move during the previous six months.”ⁱ In addition to increasing rents and fewer market options, Maryland families face the specter of non-renewal and displacement now more than ever.

"Just cause" addresses this uncertainty by providing that a landlord must disclose the reason for choosing not to renew. HB 477 provides a list of options for what "just cause," as adopted by a county, may include, such as substantial lease violations, illegal activities, removal of the property from the market, or personal use of the property by the owner. Requiring landlords to disclose the reason for a lease non-renewal helps ensure that no eviction takes place under a cover that can hide discriminatory intent. HB 477's list reflects the policies other U.S. jurisdictions that have enacted. To be clear, this is a list that localities are free to adopt or change to meet local housing needs.

- Since 2008, just cause eviction legislation has been introduced eight times – including multiple statewide bills, as well as bills specific to Prince George’s County and Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals until 6 months after the state of emergency’s end. These efforts demonstrate a sustained desire in Maryland localities for just cause policies.
- Other states and jurisdictions have longstanding just cause policies, including Washington, D.C. (since 1985), Philadelphia (since 2018), and New Jersey (since 1974). Evidence from other areas demonstrates that the policy has significant benefits for families and does not impede development. A 2019 Princeton/Eviction Lab study looking at four California localities found that "just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solutionⁱⁱ.

HB 477 recognizes that local governments want to assist renting families with stable housing so that they are able contribute long-term to the workforce and the local economy. Requiring that a landlord state a legitimate reason for an eviction through lease non-renewal eviction boosts the stability of families, neighborhoods, and communities. HB 477 ensures local governments can pass enforceable laws whereby no one is arbitrarily deprived of their housing. For these reasons, **the Maryland Center on Economic Policy respectfully requests the Judicial Proceedings Committee to make a favorable report on House Bill 477.**

Equity Impact Analysis: House Bill 477

Bill Summary

HB 477 is enabling legislation that would give clear legislating power to Maryland counties to establish “just cause” or “good cause” limitations on lease non-renewals. This bill expressly allows local policymakers to determine the kind of “just cause” policy their locality needs within the standards set out in the bill. The bill was significantly amended in the House to define and expand the list of what constitutes a “good cause” and to exempt owners of five or fewer units.

Background

When it comes to lease non-renewals, Maryland is currently a "no cause" state – that is, a landlord can decide to non-renew without any stated cause. This means that working people and their children face the constant threat of

displacement, even when they follow all the rules. They are under constant pressure to accept declining conditions and increasing rents just to stay in their communities.

HB 477 enables Maryland counties to pass local "just cause" laws that limit lease non-renewals. "Just cause" means that a landlord may choose not to renew an expiring lease only if there is an acceptable basis for that decision. HB 477 defines "just cause," including an inclusive but non-exhaustive list of acceptable bases – such as substantial lease violations, illegal activities, removal of the property from the market, or personal use of the property by the owner. HB 477's list reflects the policies other U.S. jurisdictions that have enacted just cause policy.

Equity Implications

Maryland has seen a spike in the number of no-cause, evictions known as "tenant holding over" evictions– a 117% increase in average Tenant Holding Over complaint filings each month since 2020. This mirrors a national trend in which "[n]early half of U.S. renter households reported experiencing significant pressure to move during the previous 6 months."ⁱⁱⁱ In addition to increasing rents and fewer market options, Maryland families face the specter of non-renewal and displacement now more than ever.

Since 2008, just cause eviction legislation has been introduced in eight times – including multiple statewide bills, as well as bills specific to Prince George's County and Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals until six months after the state of emergency's end. These efforts demonstrate a sustained desire in Maryland localities for just cause policies. People of color and single households are more likely to be renters in Maryland, thus any legislation that improves a renter's situation will benefit them.

Impact

House Bill 477 will likely **improve racial, gender, and economic equity** in Maryland.

ⁱ HUD Office of Policy Development and Research, "Pressure to Move and Forced Moves Among U.S. Renter Households: Findings From New Questions in the Household Pulse Survey" (Sept. 19, 2023) (based on June-Aug. 2023 data).

ⁱⁱ Princeton University Effects of Just Cause Eviction Ordinances on Eviction in Four California Cities. <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

ⁱⁱⁱ HUD Office of Policy Development and Research, "Pressure to Move and Forced Moves Among U.S. Renter Households: Findings From New Questions in the Household Pulse Survey" (Sept. 19, 2023) (based on June-Aug. 2023 data).

HB 477 Just Cause Evictions - SENATE - 4-2-24.pdf

Uploaded by: Katherine Davis

Position: FAV



**HB 477 - Landlord and Tenant - Residential Leases and Holdover Tenancies –
Local Just Cause Termination Provisions
Hearing before the Senate Judicial Proceedings Committee, April 2, 2024 at 1:00 PM**

Position: SUPPORT (FAV)

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.

PBRC is part of Renters United Maryland and urges a favorable report on HB 477. HB 477 is enabling legislation that would give authority to Maryland counties to establish “just cause” or “good cause” limitations on lease non-renewals. The bill has been significantly amended in the House to define and expand the list of what constitutes a “good cause” and to exempt owners of five or fewer units. Without this enabling bill, counties are preempted from enacting legal protections for Maryland families who face increasingly unstable housing and fears of retaliation and displacement.

We also urge you to support sponsor amendments that would close the Corporate Landlord Loophole – allowing corporate landlords to claim that they are exempt small landlords when they are not (p. 3, line 31) – and better define “habitual failure to pay rent” by the number of rent judgments that the tenant has rather than the ambiguous statement in the current bill (p.5, line 5).

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, this continually expanding Program has allowed PBRC staff and volunteer attorneys to represent thousands of tenants in both Baltimore City and Baltimore County in multiple types of legal actions that could result in eviction. An overarching goal of this Program is to promote and preserve stable housing for low-income tenants in Maryland. **PBRC supports HB 477 because it represents a vital step toward the achievement of this goal by allowing policymakers to enact local laws outlining the kind of “just cause” policy that their locality needs to protect Maryland renters who face increasingly unstable housing and fears of retaliation and displacement.**

Maryland is currently a “no cause” state, which means that a landlord can decide to non-renew a lease without any stated cause. Thus, working families and their children face the constant threat of displacement, even when they follow all the rules. They are under pressure to stay quiet and accept declining conditions, arbitrary policies, and increasing rents just to stay in their communities and keep their children in their local school.

“Just Cause” legislation addresses this uncertainty by requiring a landlord to disclose the reason for choosing not to renew a lease. HB 477 provides a list of options for what would constitute “just cause,” but leaves the

specifics up to the local jurisdictions. The allowable “just cause” provisions may include a substantial breach of lease, disorderly conduct, illegal activity, refusing to grant landlord access to the home, removal of the property from the rental market or a desire to recover the premises for family use. Requiring landlords to disclose the reason for a lease non-renewal helps ensure that no eviction takes place under a cover of silence that can hide discriminatory intent. **HB 477’s list reflects the policies other U.S. jurisdictions that have enacted.**

Since 2008, Just Cause legislation has been introduced nine times – including multiple statewide bills and bills specific to Prince George’s County and Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals. These efforts demonstrate a sustained desire in Maryland localities for just cause policies.

Washington, D.C. (since 1985) and Philadelphia (since 2018) have adopted just cause eviction policies, as has the state of New Jersey (since 1974). Looking at four localities in California, a 2019 Princeton/Eviction Lab study found that “just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution.”

HB 477 recognizes that local legislatures want to help rent families with stable housing so they can contribute long-term to the workforce and local economy. Requiring a landlord to state a legitimate reason for an eviction through lease non-renewal boosts the stability of families, neighborhoods, and communities. By allowing local jurisdictions to do this without fear of preemption, **HB 477 has the potential to be a game-changer in terms of community stabilization and tenants’ rights.**

In our experience working with tenants in Baltimore City and Baltimore County, we have seen far too many clients who avoid a judgment in court only to find themselves struggling to find new housing anyway because their landlord then refuses to renew their lease (possibly to get a higher rent, to avoid making requested repairs, or simply due to personality conflicts). We have worked with tenants who are elderly and have lived in the same place for decades as well as those who are young families with a desire to stay in the same neighborhood due to job and school connections. In addition to being uprooted from their community and forced into an expensive move (including having to pay a few months’ rents upfront plus a security deposit, utility deposits, etc.), many of our clients simply cannot find suitable housing that they can afford. **HB 477 would allow jurisdictions the flexibility to address these issues legislatively through local “Just Cause” legislation. As such it could potentially have a direct positive effect on many of our clients.**

For the above reasons,

PBRC urges a FAVORABLE report on HB 477.

Please contact Katherine Davis, Director of PBRC’s Courtroom Advocacy Project, with any questions.

kdavis@probonomd.org • 443-703-3049

HB 477_Crossover_Consumer Protection Division_Supp

Uploaded by: Kira Wilpone-Welborn

Position: FAV

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CONSUMER PROTECTION DIVISION

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April 1, 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 477 – Landlord and Tenant - Residential Leases and Holdover Tenancies -
Local Good Cause Termination Provisions (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General (the “Division”) supports House Bill 477 sponsored by Delegates Wilkins, Stewart, Addison, Allen, Boyce, Foley, Healey, Holmes, Lehman, J. Long, Love, Ruth and Terrasa. Presently, pursuant to Real Property Article § 8-402, a landlord can elect to not renew a tenancy for any reason at the end of a residential lease term. House Bill 477 seeks to permit local jurisdictions the freedom to adopt local “good cause” policies that would require a landlord to have good cause before electing not to renew a tenancy and displacing the tenant from the rental unit and the community.

Good cause requirements for lease non-renewal reduce unexpected displacements, providing tenants with security in their residences and communities and allowing tenants to avoid financially expensive disruptions in their living, working, and schooling. As a result, the American Bar Association in its eviction policy guidelines has recognized the importance of

good cause in eviction legislation and recommended that all states and localities adopt good cause principals in their residential lease and eviction laws.¹

House Bill 477 is tailored to permit local jurisdictions the flexibility to adopt housing policies that are beneficial to their residents and communities. For these reasons, the Division requests that the Judicial Proceedings Committee give House Bill 477 a favorable report.

cc: The Honorable Jheanelle K. Wilkins, *et al.*
Members, Judicial Proceedings Committee

¹ See https://www.americanbar.org/groups/legal_aid_indigent_defense/sclaid-task-force-on-eviction--housing-stability--and-equity/guidelines-eviction/guideline-9/.

BaltimoreCounty_FAV_HB0477.pdf

Uploaded by: Lauren Buckler

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 477**

TITLE: Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Good Cause Termination Provisions

SPONSOR: Delegate Wilkins

COMMITTEE: Judicial Proceedings

POSITION: **SUPPORT**

DATE: April 2, 2024

Baltimore County **SUPPORTS** House Bill 477 – Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Good Cause Termination Provisions. This legislation would enable Counties to pass local legislation that would prevent landlords from terminating or failing to renew leases without good cause.

HB 477 outlines certain grounds for eviction and establishes good cause eviction protections. These types of protections have been put into place in a number of other States and jurisdictions, including New Jersey, New Hampshire, the City of Philadelphia, and the District of Columbia. Baltimore City passed local good cause legislation in 2021 but has not been able to implement due to preemption until the State provides such authority. The legislation does not require counties to enact local legislation, and allows those that do flexibility to define “good cause” in a manner that is appropriate for the jurisdiction. Establishing good cause locally will create an additional layer of protection for tenants from being unexpectedly displaced from their current housing. It is imperative that in the face of the current housing crisis the State of Maryland and County governments are collaborating in multiple ways to keep residents housed.

Accordingly, Baltimore County urges a **FAVORABLE** report on HB 477 from the Senate Judicial Proceedings committee. For more information, please contact Jenn Aiosa, Director of Government Affairs at jaiosa@baltimorecountymd.gov.

HB 477 DRM Written Testimony_ Favorable 4.2.24.pdf

Uploaded by: Leslie Dickinson

Position: FAV



Empowerment. Integration. Equality.

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www.DisabilityRightsMD.org

Disability Rights Maryland

HB 477 - Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Just Cause Termination Provisions

**Hearing before the Senate Judicial Proceedings Committee
April 2, 2024 at 1:00PM**

Disability Rights Maryland is **part of Renters United Maryland and urges you to move favorably on HB 477**. HB 477 is enabling legislation that would give authority to Maryland counties to establish “just cause” or “good cause” limitations on lease non-renewals. The bill has been significantly amended in the House to define and expand the list of what constitutes a “good cause” and to exempt owners of five (5) or fewer units. **Without this enabling bill, counties are preempted from enacting legal protections for Maryland families who face increasingly unstable housing and fears of retaliation and displacement.**

We also urge you to support sponsor amendments that would close the Corporate Landlord Loophole – allowing corporate landlords to claim that they are exempt small landlords when they are not (p. 3, line 31) – and better define “habitual failure to pay rent” by the number of rent judgments that the tenant has rather than the ambiguous statement in the current bill (p.5, line 5).

Disability Rights Maryland (DRM) is the federally designated 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 that end, DRM’s Housing and Community Inclusion team works to expand housing opportunities for Marylanders with disabilities and to maintain housing stability to ensure people with disabilities can participate fully in all aspects of community life, and have equal access to opportunities. The estimated 45 million Americans with disabilities² are more likely than their non-disabled peers to experience unemployment and poverty and, nationwide, more than 4.2 million people with disabilities spend more than half of their income on rent.³ In Maryland, most of the estimated 399,500 low-income residents who spend more than half of their income on rent receive no rental assistance due to funding limitations.⁴ While housing discrimination against people with disabilities is prohibited under federal law, it remains distressingly common: in 2019,

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

² 13.5% of the 333.29 million individuals in the U.S. population are people with disabilities. DISABILITY IN THE U.S. – STATISTICS AND FACTS (2023), <https://www.statista.com/topics/4380/disability-in-the-us/#topicOverview> (last visited February 8, 2024).

³ More than 4.2 million (18% of 23.4 million low-income renters) people with disabilities nationwide pay more than half of their income on rent. CENTER ON BUDGET AND POLICY PRIORITIES, UNITED STATES FEDERAL RENTAL ASSISTANCE FACT SHEET (2022), [12-10-19hous-factsheet-us.pdf \(cbpp.org\)](https://www.cbpp.org/sites/default/files/atoms/files/12-10-19hous-factsheet-us.pdf) (last visited February 8, 2024).

⁴ CENTER ON BUDGET AND POLICY PRIORITIES, MARYLAND FEDERAL RENTAL ASSISTANCE FACT SHEET (2022), <https://www.cbpp.org/sites/default/files/atoms/files/12-10-19hous-factsheet-md.pdf> (last visited February 8, 2024).

about 59% of all housing discrimination complaints brought to private Fair Housing Organizations (FHOs) and state and federal agencies were based on disability.⁵ Eviction - including non-renewal of a lease without cause - can result in homelessness or institutionalization, exacerbating an individual's disabilities, and worsening health outcomes.

What is "just cause" policy and why is it needed? Maryland is currently a "no cause" state – that is, a landlord can decide to non-renew a lease without "just cause." This means that renters of all types face the constant threat of displacement, even when they follow all the rules. They are under constant pressure to accept declining conditions, arbitrary policies, and increasing rents. Or, they can speak up and face a likely "non-renewal" at the end of their lease and displacement from their community.

Why this legislation now? Maryland has seen a spike in the number of no-cause, evictions filed as "Tenant Holding Over" complaints – which have increased 117% on average each month since 2020. This mirrors a national trend in which "[n]early half of U.S. renter households reported experiencing significant pressure to move during the previous 6 months."⁶ **In addition to increasing rents and fewer market options, Maryland families face the specter of non-renewal and displacement now more than ever.**

A "just cause" requirement for non-renewal addresses this uncertainty by providing that a landlord must have a legitimate reason for non-renewal, which they must disclose. Requiring landlords to disclose the reason for a lease non-renewal helps ensure that no eviction takes place under a cover of silence that can hide discriminatory intent. HB 477's list reflects the policies other U.S. jurisdictions have enacted.

Why a Local Enabling bill? Since 2008, just cause eviction legislation has been introduced nine times – including multiple statewide bills, as well as bills specific to Prince George's County and Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals until 6 months after the state of emergency's end. These efforts demonstrate a sustained desire in Maryland localities for just cause policies.

Based on available research, **Maryland is one of only six (6) states in the country that preempts localities from enacting just cause eviction policies.** Due to our varied local jurisdictions, from highly populated urban areas to less populated rural counties, it makes sense for Maryland to allow local governments to figure out what works best for their housing markets and policy goals. Other states, such as Pennsylvania, have authorized localities to pass their own just cause eviction laws. At least five (5) states, the District of Columbia (since 1985), and 16

⁵ NATIONAL FAIR HOUSING ALLIANCE, FAIR HOUSING IN JEOPARDY: TRUMP ADMINISTRATION UNDERMINES CRITICAL TOOLS FOR ACHIEVING RACIAL EQUITY 34 (2020), <https://nationalfairhousing.org/wp-content/uploads/2020/09/NFHA-2020-Fair-Housing-Trends-Report.pdf>.

⁶ HUD Office of Policy Development and Research, "Pressure to Move and Forced Moves Among U.S. Renter Households: Findings From New Questions in the Household Pulse Survey" (Sept. 19, 2023) (based on June-Aug. 2023 data).

localities including Philadelphia (since 2018) have adopted just cause eviction laws. New Jersey's just cause law (since 1974) demonstrates that a "just cause" requirement for non-renewal has benefits that far outweigh any presumed negative impact to development. "Something in the Garden State is clearly working. According to data from the Eviction Lab, New Jersey cities such as Trenton, Paterson, Jersey City, and West New York have among the lowest eviction rates in the country. Meanwhile, construction is absolutely exploding."

Additionally, a [2019 Princeton/Eviction Lab](#) study of four (4) localities in California finds that "just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution."

Finally, HB 477 recognizes that local legislatures want options to assist renters in achieving stable housing so that they are able contribute long-term to the local economy and the community, and to maintain consistency for their children. Requiring just cause as a precondition for an eviction can be a tailored policy that boosts the stability of families, neighborhoods, communities and the locality itself.

Disability Rights Maryland is a member of Renters United Maryland, and urges the Committee's report of Favorable on HB 477.

For more information, please contact:

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HB 477_MAP_FAVOR.pdf

Uploaded by: Mark Huffman

Position: FAV



TESTIMONY IN SUPPORT OF HB 477

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

Judicial Proceedings Committee

April 2nd, 2024 1pm

Submitted by Mark Huffman, Co-Chair

Member Agencies:

211 Maryland

Anne Arundel County Food Bank

Baltimore Jewish Council

Behavioral Health System Baltimore

Bridges to Housing Stability

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

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Mark Huffman, Co-Chair

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Marylanders Against Poverty (MAP) strongly supports HB 477, which would give authority to Maryland counties to establish “just cause” or “good cause” limitations on lease non-renewals.

This “just cause” authority would mean local policymakers would be able to determine the kind of “just cause” policy that their locality needs, whether by type of building, for certain populations, or under certain circumstances such as a state of emergency. **Without this enabling bill, counties are preempted from enacting legal protections for Maryland families who face increasingly unstable housing and fears of retaliation and displacement.**

What is “just cause” policy and why is it needed? Maryland is currently a “no cause” state – that is, a landlord can decide to non-renew without any stated cause. This means that working families and their children face the constant threat of displacement, even when they follow all the rules. They are under constant pressure to stay quiet and accept declining conditions, arbitrary policies, and increasing rents just to stay in their communities and keep their children in their local school. Or, they can speak up – on their own or as a group – and face a likely “non-renewal” at the end of their lease and displacement from their community.

Why this legislation now? **Maryland has seen a spike in the number of no-cause, evictions known as “Tenant Holding Over” evictions– a 117% increase in average Tenant Holding Over complaint filings each month since 2020.** This mirrors a national trend in which “[n]early half of U.S. renter households reported experiencing significant pressure to move during the previous 6 months.”¹ **In addition to increasing rents and fewer market options, Maryland families face the specter of non-renewal and displacement now more than ever.**

“Just cause” addresses this uncertainty by providing that a landlord must disclose the reason for choosing not to renew. HB 477 provides a list of options for what “just cause,” as adopted by a county, may include, such as substantial lease violations, illegal activities, removal of the property from the market, or personal use of the property by the owner. Requiring landlords to disclose the reason for a lease non-renewal helps ensure that no eviction takes place under a cover of silence that can hide discriminatory intent. HB 477’s list reflects the policies other U.S. jurisdictions that have enacted. To be clear, this is a list that localities are free to adopt or change to meet local housing needs.

Why a Local Enabling bill? Since 2008, just cause eviction legislation has been introduced 9 times – including multiple statewide bills, as well as bills specific to Prince George’s County and Montgomery County. During the COVID-19 state of emergency,

¹ HUD Office of Policy Development and Research, “Pressure to Move and Forced Moves Among U.S. Renter Households: Findings From New Questions in the Household Pulse Survey” (Sept. 19, 2023) (based on June-Aug. 2023 data).

Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals until 6 months after the state of emergency's end. These efforts demonstrate a sustained desire in Maryland localities for the authority to enact just cause.

At least 5 states, the District of Columbia (since 1985), and 16 localities including Philadelphia (since 2018) have adopted just cause eviction laws. New Jersey's just cause law (since 1974) demonstrates that the benefit of just cause far outweighs the hypothetical that it hurts development. ["Something in the Garden State is clearly working. According to data from the Eviction Lab, New Jersey cities such as Trenton, Paterson, Jersey City, and West New York have among the lowest eviction rates in the country. Meanwhile, construction is absolutely exploding."](#)

Additionally, looking at 4 localities in California, a [2019 Princeton/Eviction Lab](#) study finds that "just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution."

HB 477 recognizes that local legislatures want to assist renting families with stable housing so that they are able contribute long-term to the workforce and the local economy. Requiring that a landlord state a legitimate reason for an eviction through lease non-renewal eviction boosts the stability of families, neighborhoods, and communities.

MAP appreciates your consideration and urges the committee to issue a favorable report for HB 477.

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.

HB0477_Mark Martin_FAV (1).pdf

Uploaded by: Mark Martin

Position: FAV

HB0477_MarkMartin_FAV

April 2, 2024

Mark Martin

1416 Bolton Street, Baltimore, MD 21217

TESTIMONY ON HB0477 – POSITION: FAVORABLE (Landlord and Tenant-Residential Leases and Holdover Tenancies-Local Good Cause Termination Provisions)

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

FROM: Mark Martin

My name is Mark Martin and I am a longtime resident of District 40 in Baltimore City. This testimony is in support of HB0477.

Stable housing is critical for a healthy, prosperous, and safe community. Maryland law currently works against this goal by leaving tenants vulnerable to losing their homes through no fault of their own just because their landlord refuses to renew their lease. Lease nonrenewals (evictions) undermine family and neighborhood stability and threaten the health and education of children, particularly people of color. Further, evictions cost governments substantial amounts of money, as uprooted tenants are forced to draw more heavily on public services. The problem is only getting worse: lease nonrenewals are on the rise, surpassing pre-pandemic levels.

HB0477 begins to rectify this problem. It authorizes counties, and Baltimore City, to enact locally appropriate laws that would require a landlord to renew a lease unless he has a valid reason (a “good cause”) not to. The bill therefore promises to do a great deal of good by redressing the power imbalance between landlords and tenants, safeguarding tenants from arbitrary and retaliatory evictions, and, thereby, facilitating access to stable and habitable housing and all the individual and societal benefits associated with it.

At the same time, the bill should protect the *legitimate* interests of landlords. Good (“just”) cause eviction laws typically leave landlords free not to renew the leases of problem tenants (e.g., those who fail to pay rent, cause damage, or are disruptive), to reasonably raise rents, or to dispossess tenants in order to remove a property from the rental market, to take it back for temporary personal use, or renovate it

This is a proven path. I am a (retired) lawyer with experience in Landlord-Tenant court in the District of Columbia, which provides tenants with a right to just cause eviction. DC’s law has not caused the sky to fall on the DC rental market or DC landlords. To the contrary. Many other states (e.g., New Jersey, California, Oregon, New Hampshire, and Washington) and cities (e.g., Seattle, Oakland, Boston, and Philadelphia) afford similar protections to tenants, which have generally had the effect of reducing evictions without undermining the housing market. Baltimore City itself adopted such a law in 2021, but has been blocked from implementing it by contrary State law.

It is time for Maryland to join these other jurisdictions. HB0477 would add much needed balance to State law. The reforms it enables are a commonsense, workable step to helping tenants stay in their homes, and thereby reduce social dislocation and promote equality, without jeopardizing landlords’ reasonable interests.

I urge the committee to return a favorable report on HB0477..

HB 477 Just Cause in SENATE Public Justice FAV.pdf

Uploaded by: Matt Hill

Position: FAV



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HB 477 - Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Just Cause Termination Provisions

Hearing before the Senate Judicial Proceedings Committee, April 2, 2024

Position: SUPPORT (FAV)

Public Justice Center is part of Renters United Maryland and urges you to move favorable on HB 477. HB 477 is enabling legislation that would give authority to Maryland counties to establish “just cause” or “good cause” limitations on lease non-renewals. **The bill has been significantly amended in the House to define and expand the list of what constitutes a “good cause” and to exempt owners of 5 or fewer units.** Without this enabling bill, counties are preempted from enacting legal protections for Maryland families who face increasingly unstable housing and fears of retaliation and displacement. **Colorado just days ago passed a statewide “just cause” eviction bill. Maryland needs to catch up!**

We also urge you to support sponsor amendments that would close the Corporate Landlord Loophole – allowing corporate landlords to claim that they are exempt small landlords when they are not (p. 3, line 31) – and better define “habitual failure to pay rent” by the number of rent judgments that the tenant has rather than the ambiguous statement in the current bill (p.5, line 5).

Public Justice Center (PJC) is a nonprofit public interest law firm that assists over 800 renters and their families each year. We stand with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing. PJC seeks the Committee’s Favorable report on HB 477.

American Bar Association Supports “Just Cause” Eviction Policy

In 2022, the American Bar Association (ABA) endorsed “just cause eviction” policies as one of [“Ten Guidelines for Residential Eviction Laws.”](#) As reported in the ABA resolution:

When such good cause requirements are absent renters and their families lack basic security of tenure. Forcing a household to relocate imposes significant disruption and potential hardship on the tenant, and should not be allowed without a legitimate reason. Allowing eviction without cause invites abuse, enabling a discriminatory, retaliatory, or otherwise illegitimate motive for ending a tenancy to be easily concealed behind a “no cause” eviction.

American Bar Association, House of Delegates Resolution 612, 9-10.

What is “just cause” policy and why is it needed? Maryland is currently a “no cause” state – that is, a landlord can decide to non-renew without any stated cause. This means that working families and their children face the constant threat of displacement, even when they follow all the rules. They are under constant pressure to stay quiet and accept declining conditions, arbitrary policies, and increasing rents just to stay in their communities and keep their children in their local school. Or, they can speak up – on their own or as a group – and face a likely “non-renewal” at the end of their lease and displacement from their community.

Why this legislation now? **Maryland has seen a spike in the number of no-cause, evictions known as “Tenant Holding Over” evictions– a 117% increase in average Tenant Holding Over complaint filings each month since 2020.** This mirrors a national trend in which “[n]early half of U.S. renter households reported experiencing significant pressure to move during the previous 6 months.”¹ **In addition to increasing rents and fewer market options, Maryland families face the specter of non-renewal and displacement now more than ever.**

“Good cause” addresses this uncertainty by providing that a landlord must disclose the reason for choosing not to renew. HB477 as amended by the House provides a list for what constitutes “good cause,” if adopted by a county, including substantial lease violations, illegal activities, removal of the property from the market, or personal use of the property by the owner. Requiring landlords to disclose the reason for a lease non-renewal helps ensure that no eviction takes place under a cover of silence that can hide discriminatory intent.

Will Just Cause Eviction Drive Up Landlord Litigation Costs? No. If a tenant refuses to vacate after the landlord gives the tenant a notice, then the landlord has to go to court **regardless**

¹ HUD Office of Policy Development and Research, “Pressure to Move and Forced Moves Among U.S. Renter Households: Findings From New Questions in the Household Pulse Survey” (Sept. 19, 2023) (June-Aug. 2023 data).

and file a Tenant Holding Over complaint. Just cause eviction law does not change this at all. With just cause eviction law, though, the landlord will have to *state the reason why* they want the tenant to vacate. This transparency encourages tenants to speak up about defective housing conditions and organize with their neighbors without fear of arbitrary or discriminatory non-renewal. Additionally, Lease Non-renewal Evictions (also called “Tenant Holding Over”) account for about 4,000 eviction warrants/year. This is a tiny number of renter households compared to the 400,000+ Failure to Pay Rent evictions or 750,000+ renter households. The impact of just cause eviction is minimal overall for landlords.

Why a Local Enabling bill? Since 2008, just cause eviction legislation has been introduced 9 times – including multiple statewide bills, as well as bills specific to Prince George’s County and Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals until 6 months after the state of emergency’s end.

Based on available research, **Maryland is one of only 6 states in the country that preempts localities from enacting just cause eviction policies.** Other states at least allow localities to pass their own just cause eviction laws. Pennsylvania is a good example. It has allowed Philadelphia to pass a just cause eviction law to promote greater housing stability. If this body has concerns about just cause eviction policy, it should allow localities to see what works best for their housing market and policy goals. At least 5 states, the District of Columbia (since 1985), and 16 localities including Philadelphia (since 2018) have adopted just cause eviction laws. New Jersey’s just cause law (since 1974) demonstrates that the benefit of just cause far outweighs the hypothetical that it hurts development. [“Something in the Garden State is clearly working. According to data from the Eviction Lab, New Jersey cities such as Trenton, Paterson, Jersey City, and West New York have among the lowest eviction rates in the country. Meanwhile, construction is absolutely exploding.”](#)

Additionally, looking at 4 localities in California, a [2019 Princeton/Eviction Lab](#) study finds that “just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution.”

Public Justice Center is a member of Renters United Maryland, and **we urge the Committee’s report of Favorable on HB 477.**

HB 477 Local Just Cause Termination Provisions - G

Uploaded by: Michael English

Position: FAV

HB 477 - Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Just

Cause Termination Provisions

Hearing before the Senate Judicial Proceedings Committee, April 2, 2024 at 1:00PM

Position: SUPPORT (FAV)

Thank you for agree to hear my testimony,

I am writing strongly in favor of a favorable report for this enabling legislation for just cause eviction, and I say this as someone who spends just as much, if not more time advocating for the production of more housing as I do pushing for renter protections.

While I'm speaking only in my personal capacity today, I'm involved with multiple organizations that push to make housing production easier, more predictable, and more affordable, and have written numerous pro housing, urbanist opinion pieces for various publications. I've also been called a developer shill, or something to that effect, enough times in enough meetings about proposed apartment complexes or zoning changes that I've quite literally lost count.

I bring all this up only to say that while there is such a thing as a renter protection that can go "too far" and do more harm than good in the long run by limiting the supply of housing Just cause eviction isn't one of them. I, and most other "YIMBYs" and YIMBY organizations either don't spend much time worrying about the just cause, or actively support it, because it works well in tandem with abundant housing to provide leverage and stability to renters.

This law would do nothing to prevent a landlord from not renewing a lease for a tenant that fails to pay, violates the lease, or meets other "just causes" for non renewal, and landlords would still be able to deny renewal if they, for example, wanted to take the home off the rental market altogether. It is not a "lease for life" as some allege.

All it means is this.

"If you are going to continue to rent the home out, the person currently renting it gets the first shot at renting it, unless you have a compelling reason not to offer it to them."

That's unambiguously good. Yes, housing is a market, and market principles apply, but it is also a, well, home, a place that is meant to be a relative constant in our lives that, while it may not last forever, does not change suddenly for no good reason.

That's all we're talking about here.

Development won't crater, and problem tenants won't be forever entrenched in a home. It **will** help prevent tenants being removed for retaliatory reasons, such as forming a tenants union or making consistent maintenance requests, and more generally help to give a little certainty that their safe harbor will stay their safe harbor.

HB0477-JPR-FAV.pdf

Uploaded by: Nina Themelis

Position: FAV



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

HB477

March 2, 2024

TO: Members of the Senate Judicial Proceedings Committee
FROM: Mayor Brandon M. Scott, City of Baltimore
RE: House Bill 477 – Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions

POSITION: SUPPORT

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee please be advised that my Baltimore City Administration (BCA) **supports** House Bill (HB) 477.

HB 477 would authorize a jurisdiction to enact a local law that would prohibit a landlord from failing to renew a lease without providing a good cause.

This bill strikes a reasonable balance to ensure that both tenants and landlords have clarity and certainty regarding their lease renewals. It does not mandate that a landlord renew a tenant's lease rather it requires that a reason be given to the tenant if the lease is not going to be renewed. The reasons are broad and include breach of lease, failing to cease disorderly conduct, illegal activity, refusing access for repairs, and the inability to complete renovations while the building is occupied. HB 477 also allows for the landlord, in good faith, to not renew the rental if they wish to remove the property from the market or want to recover possession of the property for their use or the use of their family.

It is important to note that the bill authorizes rather than mandates local jurisdictions to enact a local just cause law. This allows jurisdictions to make decisions in the best interest of their residents and unique local circumstances. In 2021, the Baltimore City Council attempted to pass local legislation to establish "just cause" evictions but the legislation could not be approved by the City's law department for form and legal sufficiency as state law change would be required. HB 477 would make the necessary changes to allow the City to pursue local legislation, should we wish.

For these reasons, I request a **favorable** report on HB 477.

HB477 - Just Cause Eviction Enabling - in the Sena

Uploaded by: Rebecca Shillenn

Position: FAV

Dear Members of the Environment and Transportation 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 de Maryland and Renters United. I am a resident of **District 45. I am testifying in support of HB477.**



Showing Up for Racial Justice

HB477 allows local jurisdictions to require a just basis for landlords to either refuse to renew or to cut off month-to-month/week-to-week leases. This legislation would enable local legislatures to pass their own laws, if they choose, limiting how and when lease non-renewals occur, requiring landlords to have a just cause to non-renew, or requiring landlords to prove a just cause in court.

During the COVID-19 pandemic, as the rate of non-payment eviction was slowed by court delays and emergency rental assistance, lease-non-renewal evictions roughly doubled. This means that working people and their children face the constant threat of displacement, even when they follow all the rules. They have no choice but to accept declining conditions and increasing rents just to stay in their communities. A 2019 study from Princeton & the Eviction Lab found “just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution.”¹ Without this bill, jurisdictions like Montgomery County and Baltimore City face preemption challenges to trying just cause eviction policies. This bill gives local legislatures the power to decide what’s acceptable and when. It recognizes that local legislatures know how best to help their renters stay stably housed and able to contribute to the workforce and the economy.

This issue goes beyond economics to long-standing racial inequities in housing policy. Our partners at CASA recently reported that on November 22, 2023, seven residents of the Evergreen Terrace Apartments in Hyattsville, MD publicly denounced evictions that they believed were unjust, based on false evidence targeting immigrant and working class families.² In October 2023, the National Equity Atlas reported an estimated 98,000 households were behind on their rent in Maryland.³ Of those, 79% of tenants are people of color, including Blacks, Latinx, and Native Americans. Crucially, 47% of those households include children, a disproportionate number of whom are Black and Brown, and social scientists have documented declining school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes as negative outcomes among children who experienced eviction.⁴ People of color form less than half of this state’s population, and helping them remain in their homes ensures we stop perpetuating racial inequities, especially lifelong detriments suffered by children.

It is for these reasons that I am encouraging you to vote **in support of HB477.**

Thank you for your time, service, and consideration.

¹ <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

² <https://wearecasa.org/tenants-at-evergreen-terrace-apartments-call-out-discriminatory-and-unjust-evict/>

³ <https://nationalequityatlas.org/rent-debt>

⁴ https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf

Sincerely,

Rebecca Shillenn

5401 Elsrode Avenue Baltimore MD 21214

Showing Up for Racial Justice Baltimore

Testimony in support of crossover bill HB0477.pdf

Uploaded by: Richard KAP Kaplowitz

Position: FAV

CROSSOVER BILL HB0477_RichardKaplowitz_FAV

4/2/2024

Richard Keith Kaplowitz
Frederick, MD 21703

TESTIMONY ON CROSSOVER BILL HB#/0477 – FAVORABLE

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

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

FROM: Richard Keith Kaplowitz

My name is Richard K. Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of CROSSOVER BILL HB#0477, Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions

My Jewish faith informs me that every person, regardless of race or income, should have a safe and stable home. The prophet Micah said in Micah 6:8 “He has told you, O man, what is good, and what the Lord demands of you; but to do justice, to love loving-kindness, and to walk discreetly with your God.” This bill is a way to ensure just treatment of renters, nobody should lose their home because of the whims of their landlord. Landlords often retaliate against tenants who organize for their rights, demand that repairs be made, or complain about violations of laws about safe housing conditions. Sometimes this retaliation takes the form of refusing to renew their leases.

“Just cause/Good cause” laws protect tenants from this kind of retaliation, and from being evicted for no reason at all. These laws promote housing stability for tenants and neighborhoods. This bill would allow counties to adopt “just cause” laws that meet local needs to require landlords to renew residential leases unless they have a “just cause” to terminate the lease such as wanting to occupy the property themselves, having a close relative move in, taking the property off the market, and tenant breach of lease.

Maryland has an affordable housing crisis. This bill is an attempt to control forcing people into homelessness for no just and good cause.

I respectfully urge this committee to return a favorable report and pass CROSSOVER BILL HB0477.

HB 477 - MoCo_Madaleno_FAV (House) (GA 24).pdf

Uploaded by: Richard Madaleno

Position: FAV



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

Richard S. Madaleno
Chief Administrative Officer

April 2, 2024

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

FROM: Richard S. Madaleno
Chief Administrative Officer

SUBJECT: House Bill 477, *Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions*

House Bill 477 authorizes a county to adopt by local law or ordinance provisions prohibiting a landlord from failing to renew a lease or from terminating a holdover tenancy without “good cause.” Under the bill, good cause exists if: (1) a tenant has committed a substantial breach of the lease or substantial damage to the leased premises or another area of the property and after receiving notice to cure or correct the breach or pay the cost of repair, the tenant fails to comply within a reasonable period of time established by the local law or ordinance; (2) a tenant engages in routine disorderly conduct that disturbs the peace and quiet of other tenants; (3) a tenant has engaged in illegal activity on the leased premises, another area of the property, or on a public right of way abutting the leased premises; (4) a tenant, without reasonable cause, refuses to grant the landlord access to the leased premises for repairs, improvements or inspection of the leased premises; (5) a holdover tenant fails to accept a landlord’s offer of a new lease agreement for a term of at least one months but not longer than the terms of the lease agreement effective immediately before the holdover tenancy within one month after the landlord makes the offer or a greater period of time as otherwise established by law; (6) a tenant repeatedly commits minor violations of the lease that disrupt the livability of the leased premises, interfere with the management of the property, or have an adverse financial impact on the property; (7) a tenant habitually fails to pay rent when due, if the tenant has been notified by the landlord in writing that the rent is more than ten days late at least four times in a twelve-month period; (8) a landlord, in good faith, seeks to recover possession of the premises for use by the landlord or a family member; (9) a landlord, after having obtained all necessary permits, seeking to undertake substantial repairs or renovations that cannot be completed while the leased premises are occupied; and (10) a landlord, in good faith, seeks to remove the leased premises from the rental market. The bill applies to landlords that, in a county that has enacted a local law or ordinance, owns six or more residential rental units that the landlord owns or controls through one or more legal entities.

I strongly support this bill, which helps protect tenants and enables them to stay in their homes while also allowing termination of leases for certain causes. Under Montgomery County law, a landlord must provide 60 days' notice if the landlord does not intend to offer the existing tenant a renewed lease term. If a tenant remains in possession of the leased premises after the expiration of the lease term, the tenant is considered to be "holding over" under current State law. If a tenant holds over, the tenant becomes a month-to-month tenant, but all other terms of the expired lease remain in effect (albeit monthly). A landlord may file a complaint in District Court if a tenant refuses to relinquish possession at the end of the lease term. If the landlord proves proper notice, the lease term fully expires, and the tenant remains in possession of the premises, the Court will issue a judgment for possession in favor of the landlord.

House Bill 477 makes significant changes to the tenant holding over process in Montgomery County. A landlord will no longer be able to evict a tenant for holding over, absent an enumerated good cause. Under the bill, a tenant could continue to stay in possession of the property indefinitely after expiration of the lease, as a month-to-month tenant, subject to eviction for good cause if the tenant continues to pay the required rent.

I support House Bill 477 and recognize the importance of providing tenants with housing stability and security through strengthening the protections available to tenants. I believe that good cause eviction requirements are yet another way that Montgomery County can provide housing security to its residents. For the foregoing reasons, I respectfully request a favorable Committee report.

cc: Members of the Judicial Proceedings Committee

04.01 (Crossover) - HB 477 - Landlord and Tenant -

Uploaded by: Tonaeya Moore

Position: FAV



**HB 477 - Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Just Cause
Termination Provisions
Judicial Proceedings Committee
April 2, 2024
SUPPORT**

Chair Smith, Vice-Chair Waldstreicher, and members of the committee, thank you for the opportunity to submit testimony in support of House Bill 477. This bill authorizes a county (including Baltimore City) to enact local laws or ordinances that prohibit a landlord of residential property from failing to renew a lease during the lease term or seeking to terminate a holdover tenancy without just cause.

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.**

This bill expressly grants authority to counties to decide when it is appropriate for rental agreements to be non-renewed. That means local policymakers would be able to determine the kind of "just cause" policy their locality needs, whether by type of building, for certain populations, or under certain circumstances such as a state of emergency. Without HB 477, local efforts are stymied by legal concerns around preemption. We urge the Committee to move HB 477 favorably so that local government can act with clear authority on this issue.

What is "just cause" policy?

When it comes to lease non-renewals, Maryland is currently a "no cause" state – that is, a landlord can decide to non-renew without any stated cause. This means that working people and their children face the constant threat of displacement, even when they follow all the rules. They are under constant pressure to accept declining conditions and increasing rents just to stay in their communities.

HB 477 enables Maryland counties to pass local "just cause" laws that limit lease non-renewals. "Just cause" means that a landlord must have an acceptable reason for choosing not to renew an expiring lease. HB 477 defines what "just cause" is but does not impose specific contours for just cause to permit counties to decide. Instead, HB 477 provides a list of options for what "just cause," as adopted by a county, may include, such as substantial lease violations, illegal activities, removal of the property from the market, or personal use of the property by the owner. HB 477's list reflects the policies other U.S. jurisdictions that have enacted just cause policy. *To be clear, this is a list that localities are free to adopt or change, as localities see fit.*

Where is the interest in "just cause eviction"?

Creating Assets, Savings and Hope



Since 2008, just cause eviction legislation has been introduced 8 times – including multiple statewide bills, as well as bills specific to Prince George’s County and Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals until 6 months after the state of emergency’s end. These efforts demonstrate a sustained desire in Maryland localities for just cause policies.

Washington, D.C. (since 1985) and Philadelphia (since 2018) have adopted just cause eviction policies, and the state of New Jersey, too (since 1974). New Jersey’s policy endeavor over many decades demonstrates that the benefit of just cause far outweighs the hypothetical that it hurts development. [“Something in the Garden State is clearly working. According to data from the Eviction Lab, New Jersey cities such as Trenton, Paterson, Jersey City, and West New York have among the lowest eviction rates in the country. Meanwhile, construction is absolutely exploding.”](#)

Additionally, looking at 4 localities in California, a [2019 Princeton/Eviction Lab](#) study finds that "just cause eviction ordinances have a significant and noticeable effect on eviction and eviction filing rates. Given the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution."

HB 477 recognizes that local legislatures want to aid their renters in achieving stable housing so that they are able contribute long-term to the workforce and the local economy. Requiring just cause as a precondition for an eviction can be a tailored policy that boosts the stability of the housing market by stabilizing families, neighborhoods, and communities. HB 477 ensures local legislatures can pass enforceable laws whereby no one is arbitrarily deprived of their housing.

CASH is a member of the Renters United Maryland coalition and asks that the Committee issue a report of FAVORABLE on HB 477.

In Support of Good Cause- Enclave Tenant Associati

Uploaded by: Tonia Chestnut

Position: FAV

Bill Title: HB0477 Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions.

Position: SUPPORT (FAV)

To: Judicial Proceedings Committee

From: Tonia Chestnut, External Affairs Chair, on behalf of Enclave Tenant Association (ETA)

Dear members of the Judicial Proceedings Committee,

My name is Tonia Chestnut and I am the External Affairs Chair of the Enclave Tenant Association (ETA). I am writing on behalf of the ETA and am submitting this **testimony in support of HB0477 Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions**. The Enclave Tenant Association represents thousands of renters in the Enclave apartments in Silver Spring, MD. Our association formed due to continuous negligence, compromising tenant safety and living conditions that people who live in the Enclave endure every day because of Hampshire Properties and Rose Valley Management. ETA has sent demand letters, emails, placed phone calls and even rallied against the Enclave management and now we are pushing our support behind "Good Cause."

For years and to this day, families in our buildings have dealt with terrible living conditions. Families within our community endure deplorable living conditions characterized by infestations of mice, rats, and roaches, which have not only damaged property but also eroded the quality of life for residents. Such conditions make hosting guests an embarrassment and raise concerns about the health of our children. No matter how much maintenance has been contacted their exterminators are not able to eradicate this problem in many apartments. There are other tenants in the Enclave who experience flooding and leaks in their apartments. Some are from the constant pipes that burst in the buildings; others are from sewage that backs up in the pipes which then floods the apartments; and there are also other maintenance issues such as the heating/cooling units leaking or toilets overflowing due to pieces not being replaced on time. Additionally, the mailboxes in all three buildings were broken into and because the security cameras do not work no one can be held responsible. There are also no security cameras in the direct area of the mail room. During this time many tax checks and other important items were stolen from tenants' mailboxes. Despite all these issues, our property management has been negligent and have not made any honest efforts to remedy these maintenance problems. Many renters in our building are afraid to speak up for fear of retaliation - they are afraid of being unjustly evicted.

The current law in Maryland allows for landlords to remove tenants from their homes without needing to provide reason. This creates fear and disempowers tenants from holding landlords and property managers accountable for upkeep and fixing maintenance issues. As a result, many tenants have to tolerate deplorable living conditions. HB0477 would allow renters to exercise their rights and engage with landlords, property managers, and government agencies without fear of retaliation. For this reason, the Enclave Tenant Association urges a favorable report on HB0477.

LBCMD Priority Support Letter - HB 477 - Senate.pd

Uploaded by: Ufuoma Agarin

Position: FAV



LEGISLATIVE BLACK CAUCUS OF MARYLAND, INC.

The Maryland House of Delegates, 6 Bladen Street, Room 300, Annapolis, Maryland 21401
410-841-3185 • 301-858-3185 • 800-492-7122 Ext. 3185 • Fax 410-841-3175 • 301-858-3175 • Black.Caucus@house.state.md.us

April 2, 2024

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

Dear Chairman Smith and Members of the Judicial Proceedings Committee,

The Legislative Black Caucus of Maryland offers strong favorable support for House Bill 477 - Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Just Cause Termination Provision, a statewide enabling bill authorizing a county, including Baltimore City, to adopt by local law or ordinance provisions prohibiting a landlord of residential property from failing to renew a lease during the lease period or from terminating a holdover tenancy without just cause. **This bill is on the 2024 legislative priority agenda of the Black Caucus.**

For Black residents in Maryland, this bill will provide much-needed relief. Black renters in Maryland are more likely to be evicted for non-payment of rent compared to their white counterparts. In Baltimore City, specifically, Black renters have the highest eviction count out of all racial and ethnic groups, at a rate of 5.9%, compared to 5.2% for white renters.

The racial disparity in evictions leads to Black Maryland residents experiencing higher rates of student transiency, unemployment, and homelessness, along with other negative impacts. The current rental system in Maryland gives landlords unchecked power to evict tenants from their homes within 60 days for no reason. Eviction for Black residents in Maryland is more worrisome, as racial discrimination in the rental market poses a great barrier to leasing a property in the first place.

House Bill 477 will protect Black renters from unjust eviction while allowing localities to enact county legislation under state law. This legislation allows all jurisdictions to determine their own Just Cause stipulations. For these reasons, the Legislative Black Caucus of Maryland supports House Bill 477 and asks that you vote favorably on this bill.

Legislative Black Caucus of Maryland

Health Care for the Homeless - 2024 HB 477 FAV - J

Uploaded by: Vicky Stewart

Position: FAV

HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
HB 477 - Landlord and Tenant - Residential Leases and Holdover
Tenancies - Local Just Cause Termination Provisions

Senate Judicial Proceedings Committee
March 2, 2024



Health Care for the Homeless supports HB 477, which would enable local jurisdictions to establish “just cause” or “good cause” limitations on lease non-renewals. This bill expressly grants authority to local legislatures to decide when it is appropriate for rental agreements to be non-renewed. That means local policymakers would be able to determine the kind of “just cause” policy their locality needs, whether by type of building, for certain populations, or under certain circumstances such as a state of emergency. Without HB 477, local efforts are stymied by legal concerns around preemption.

In Maryland, a landlord can decide to non-renew without any stated cause. This means that working people and their children face the constant threat of displacement, even when they follow all the rules. They are under constant pressure to accept declining conditions and increasing rents just to stay in their communities.

We know that there is a plethora of health risks associated with the disruptive displacement caused by eviction. Following an eviction, a person’s likelihood of experiencing homelessness significantly increases. Homelessness historically creates new health problems and exacerbates existing ones. Where you or I could easily manage something like diabetes or hypertension in the year 2022, even HIV, the disruptive displacement following an eviction makes caring for these things exponentially harder and sometimes impossible.

We know that mortality among those experiencing homelessness has escalated over the last 5-10 years. Every year, Health Care for the Homeless gathers for our Homeless Persons’ Memorial Day in which we remember the lives of hundreds of people with the experience of homelessness who died that year. There is no amount of health care that can substitute stable housing.

HB 477 recognizes that local legislatures want to aid their renters in achieving stable housing so that they are able contribute long-term to the workforce and the local economy. Requiring just cause as a precondition for an eviction can be a tailored policy that boosts the stability of the housing market by stabilizing families, neighborhoods, and communities. HB 477 ensures local legislatures can pass enforceable laws whereby no one is arbitrarily deprived of their housing.

For the health and safety of the clients we serve and for all Marylanders, Health Care for the Homeless urges a favorable report on HB 477.

Health Care for the Homeless is Maryland’s leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We deliver medical care, mental health services, state-certified addiction treatment, dental care, social services, housing support services, and housing for over 10,000 Marylanders annually at sites in Baltimore City and Baltimore County.

Our Vision: Everyone is healthy and has a safe home in a just and respectful community.

Our Mission: We work to end homelessness through racially equitable health care, housing and advocacy in partnership with those of us who have experienced it.

HB0477 - Maryland Legal Aid - in Senate - FAV.pdf

Uploaded by: Zafar Shah

Position: FAV



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

HB0477 - Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions

Hearing before the Senate Judicial Proceedings Committee,

April 2, 2024

Position: FAVORABLE

Maryland Legal Aid (MLA) submits its written and oral testimony on HB0477 at the request of bill sponsor Delegate Jheanelle Wilkins.

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, most prominently those arising from housing insecurity. MLA upholds the right to housing, enshrined in the Universal Declaration of Human Rights, for which a principal tenet is security of tenure. HB0477 is a vital measure to ensure security for low- and middle-income renting households. MLA urges the Committee's favorable report on HB0477.

When it comes to lease non-renewals, Maryland is currently a "no cause" state – that is, a landlord may non-renew a lease without needing a reason to do so. This means that working people, families, and elders face potential displacement, year to year or even month to month, even when they follow all the rules. These "good tenants" are under constant pressure to accept declining conditions and increasing rents just to stay rooted in their communities.

HB0477 is enabling legislation that would give clear legislating power to Maryland counties and to Baltimore City to establish "just cause" or "good cause" requirements for lease non-renewals. This bill expressly grants authority to localities to decide when it is appropriate for rental agreements to be non-renewed. As amended in the House, HB0477 sets the scope of "good cause" policy based and allows local legislatures to enact that policy. Without HB0477, local efforts are constrained by state preemption. HB0477 gives localities clear authority on this issue, with guardrails set by the state.

HB0477, as amended, sets guardrails on what good cause protection.

"Good cause" means that a landlord must have a justified reason, determined by statute, for choosing not to renew an expiring lease. Notably, HB0477 was amended to establish the range of justified reasons for lease termination. The enumerated list of "good causes" in subsection (c)(1)(ii), on page 4 of the bill, is mandatory for any jurisdiction that adopts the good cause policy. The list reflects many of the grounds for lease non-renewal found in both federal housing regulations and in the state and

municipal just cause laws passed in the U.S. HB0477 authorizes localities to adopt this list but does not allow them to modify it or invent their own.

HB0477, as amended, allows lease non-renewal and eviction based on 10 grounds:

- Tenant committed a substantial breach of the lease or repeated minor violations of the lease;
- Tenant habitually failed to pay rent when due;
- Tenant caused substantial damage to the property;
- Tenant engaged in disorderly conduct;
- Tenant engaged in illegal activity on the premises;
- Tenant refused to provide access to the property for inspection or repairs;
- Tenant refused to accept the offer of a new lease agreement;
- Landlord seeks to use the property for a personal or familial use;
- Landlord seeks to make substantial repairs/renovations;
- Landlord seeks to remove the property from the rental market for a year or more.

HB0477 also establishes the good cause policy, if enacted locally, may not apply to:

- Rental units that are owner-occupied, and
- Landlords that own 5 or fewer rental units in the enacting jurisdiction, including units that the landlord owns or controls through other legal entities.

Maryland Legal Aid suggests that the Committee could improve the 5-or-fewer-units exception in subsection (b)(1) on pages 3-4 of the bill. As constructed, this provision does not capture landlord entities that exist merely as the named lessor, obscuring the person or persons who own and control the rented property and thereby making it impossible to know whether they own other rental units that should count toward the 5-unit threshold.

Our suggested improvement is as follows (in red):

(B) (1) THIS SECTION APPLIES ONLY TO ~~RESIDENTIAL LEASES~~ A LANDLORD THAT, IN A COUNTY THAT HAS ENACTED A LOCAL LAW OR ORDINANCE UNDER SUBSECTION (C) OF THIS SECTION, OWNS SIX OR MORE RESIDENTIAL RENTAL UNITS IN THAT COUNTY, INCLUDING ANY RESIDENTIAL UNITS THAT THE LANDLORD OWNS, LEASES OR CONTROLS THROUGH ONE OR MORE LEGAL ENTITIES.

(2) FOR PURPOSES OF THIS PARAGRAPH, "LANDLORD" INCLUDES ANY HOLDER OF AN OWNERSHIP INTEREST IN THE LANDLORD NAMED IN THE LEASE.

(3) THIS SECTION DOES NOT APPLY TO AN OWNER-OCCUPIED RENTAL UNIT.

(4) ANY LANDLORD ASSERTING THAT GOOD CAUSE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE RESIDENTIAL RENTAL UNIT MUST COMPLETE AND FILE WITH ANY COMPLAINT BROUGHT UNDER THIS SECTION AN AFFIDAVIT DETAILING THE BASIS FOR SUCH EXEMPTION.

It is past time for Maryland to protect all residents from arbitrary non-renewals.

This bill marks the 11th time since 2008 that the General Assembly will have considered just cause eviction legislation, including bills specific to Prince George’s County and Montgomery County. During the COVID-19 state of emergency, Howard County unsuccessfully attempted to prohibit lease non-renewals while Baltimore City passed a short-term provision to require just cause for lease non-renewals until 6 months after the state of emergency’s end. These efforts demonstrate a sustained desire in Maryland localities for just cause protection.

For certain segments of Maryland’s rental market – mobile homes and federally subsidized housing – just cause eviction protection has aided residents for decades. Maryland enacted protections for mobile home park tenants in 1980, including the protection against non-renewals without cause.¹ There are an estimated 7,000 occupied mobile home rentals throughout the state.² Project-based “Section 8” rental assistance requires property owners to have a good cause for non-renewal of a lease. There are nearly 2,000 such properties in Maryland, accounting for over 137,000 rental units.³ The federal Low Income Housing Tax Credit program also requires property owners to have a good cause to non-renew a lease. There are more than 830 of these properties throughout the state, accounting for around 78,000 units.

In total, **Maryland’s stock of just-cause-protected properties numbers around 222,000 units**, equivalent to a rental market greater than that of any one of Baltimore City, Baltimore County, Prince George’s County, or Montgomery County.

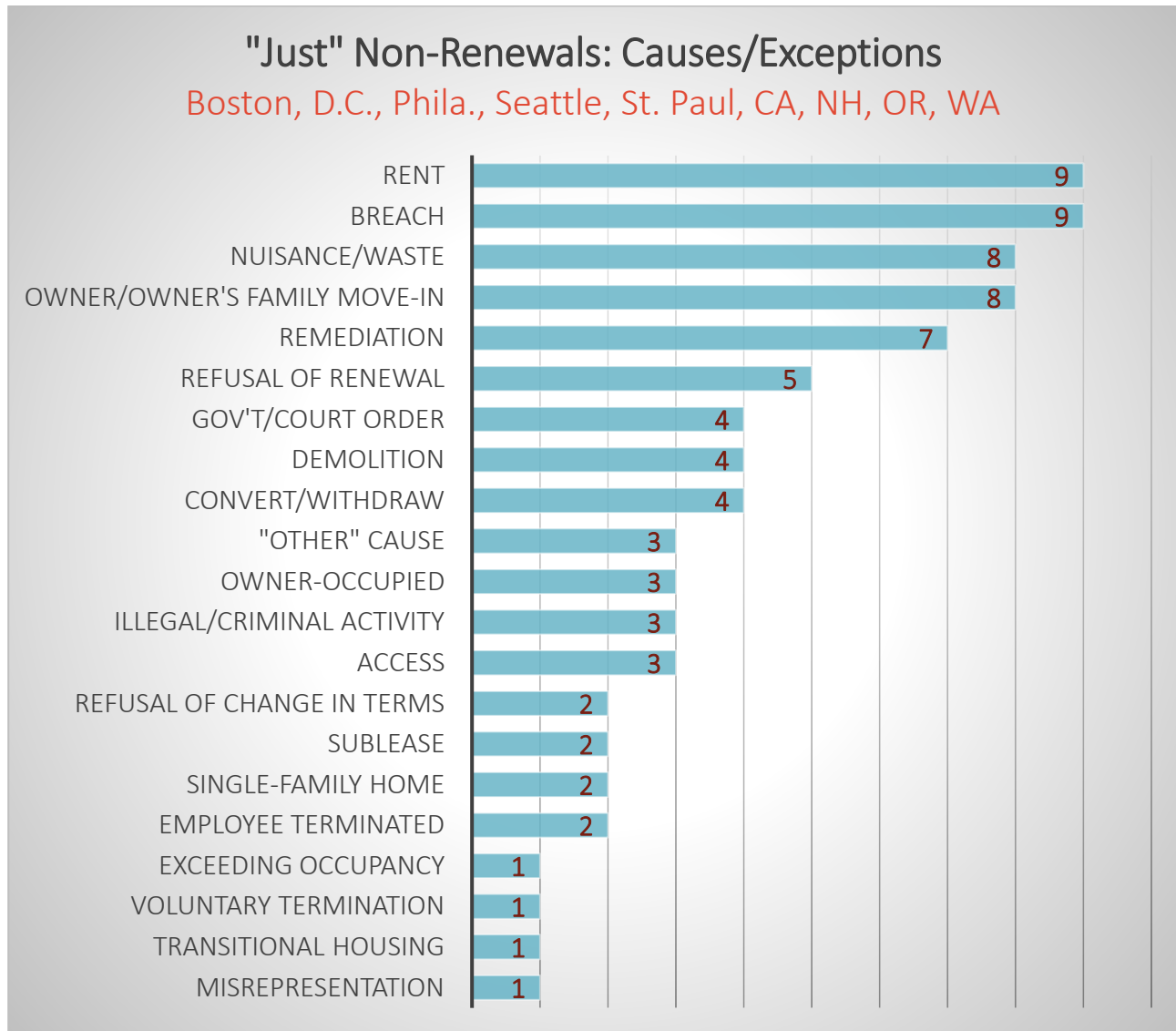
Neighboring cities Washington, D.C. (1985) and Philadelphia (2018) have adopted just cause eviction policies, as have New Hampshire (2015), California (2019), Oregon (2019), and Washington (2021). Last week, [Colorado passed a statewide just cause bill, now awaiting their governor’s signature](#). New Jersey adopted just cause requirements as part of worker protection legislation in 1974. In most

¹ Md. Code Ann., Real Prop. art. § 8A-1101 (Laws of Maryland, Ch. 843 (1980)).

² U.S. Census Bureau, American Community Survey 1-Year Estimates: Physical Housing Characteristics for Occupied Housing Units S2504 (2022).

³ National Housing Preservation Database, <https://preservationdatabase.org>.

Western European countries, including France and Germany, just cause eviction protection is a standard feature of privately owned rental housing.⁴



⁴ Nathalie Wharton and Lucy Craddock, "A comparison of security of tenure in Queensland and in Western Europe." *Monash University Law Review*, vol. 37, no. 2 (2011) (In Western European countries, "[t]ermination of contract is only possible where the landlord has a 'legitimate' reason for ending the tenancy. Terminating a contract outside of these legitimate circumstances is considered unconscionable. A typical example of prohibited unconscionable conduct can be found in Switzerland's legislation on tenancies. Although Swiss law is one of the least protective of tenants in Western Europe, [it] provides that, regarding cancellation of termination, in general: 1. Notice to leave can be cancelled when it is contrary to good faith principles [and] 2. grounds for the notice to leave must be given if the other party asks for them.").

Just cause protections help – not hurt – community-economic development.

New Jersey’s statewide just cause policy demonstrates, over 50 years, that the benefit of just cause outweighs hypothetical impediments on development. “According to data from the Eviction Lab, New Jersey cities such as Trenton, Paterson, Jersey City, and West New York have among the lowest eviction rates in the country. Meanwhile, construction is absolutely exploding.”⁵ Although industry-backed opponents of just cause protections suggest that the policy hampers development in broad terms, no available, impartial social science research supports their conclusions.

Just cause eviction policies have shown positive impact on the stability of housing and community for low-income renters. Looking at four localities in California, a [2019 Princeton/Eviction Lab](#) study found that “just cause eviction ordinances have a statistically significant negative effect on eviction and eviction filing rates” and concluded that “[g]iven the budget limitations of many states and municipalities to fund other solutions to the eviction crisis, passage of just cause eviction ordinances appears to be a relatively low-cost, effective policy solution.”⁶

Additionally, a recent analysis demonstrates that just cause policies “help the lowest socioeconomic status residents remain in gentrifying neighborhoods, where displacement pressures may be especially strong for vulnerable residents.”⁷ Assessing nine “hot-market areas,” researchers from Berkeley’s Urban Displacement Project, the Changing Cities Research Lab at Stanford University, and the Federal Reserve Bank of San Francisco concluded that while just cause laws do not encourage new low-income residents to move into a jurisdiction, “[r]enters make fewer downward moves from neighborhoods where more units are covered by just cause protections—suggesting people are able to make planned moves.”⁸

A 2020 study on the effect of just cause protection on entrepreneurial activities found that just cause eviction ordinances in five California cities “increase[d] the number of new, small businesses by

⁵ Henry Grabar, “New York Needs to Learn a Housing Lesson From ... New Jersey?” Slate.com, Feb. 8, 2022, <https://slate.com/business/2022/02/new-york-good-cause-eviction-new-jersey-housing.html>.

⁶ Julietta Cuellar et al., “The Effect of Just Cause Eviction Ordinances on Eviction in Four California Cities,” *Journal of Public and International Affairs* 31 (2020): 99-125, available at <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>.

⁷ Karen Chapple et al., “Housing Market Interventions and Residential Mobility in the San Francisco Bay Area,” Federal Reserve Bank of San Francisco, March 15, 2022, https://news.berkeley.edu/story_jump/how-housing-production-policies-impact-displacement.

⁸ *Id.*

6.9%.”⁹ The researchers proposed that just cause policy “significantly enhances renters’ welfare by allowing them to take on risky, but potentially successful, entrepreneurial endeavors. Thus, local renter protection policies have a surprising benefit of promoting job creation and economic growth by encouraging more entrepreneurial activities.”¹⁰ This study showed significant decreased poverty in areas where the ordinances were enacted and found “no significant changes in... local house price growth.”¹¹

Industry-backed opponents of just cause protections often suggest, without evidence, that “no cause” non-renewals and evictions are essential to development. Yet, as one of 6 states that currently preempt just cause ordinances, Maryland lands in the bottom 10 nationally in terms of shortage of affordable and available rental units per 100 extremely low-income renter households.¹² Maryland boasts a shortage of 146,085 units for extremely low-income households, according to a 2023 national survey.¹³ Just cause protections had nothing to do with this failure of development.

Just cause policy balances the court process in eviction cases.

Although Maryland lacks data directly about the incidence of lease non-renewals, judicial data about “Tenant Holding Over” (THO) eviction cases provide some useful insights. There were an estimated 5,360 THO cases filed throughout the state in 2023.¹⁴ In a THO case, the tenant is alleged to have stayed over the expired term of the lease. These court cases do not require the landlord to provide a reason for their decision not to renew the lease. For most tenants who lack just cause protection, there is no defense to THO proceedings absent a procedural defect or a showing of retaliation.

The average total of monthly THO filings since August 2020 (527), when district courts reopened after the initial Covid-19 shutdown, reflects a 113% increase over the monthly average in the 8 months prior

⁹ Steven Xiao and Serena Xiao, “Renter Protection and Entrepreneurship,” SSRN Electronic Journal. 10.2139/ssrn.3574364 (2020) (examining the impact of just cause eviction ordinances in Glendale (2002), Oakland (2002), San Diego (2003), East Palo Alto (2010), and Santa Monica (2010)).

¹⁰ *Id.*

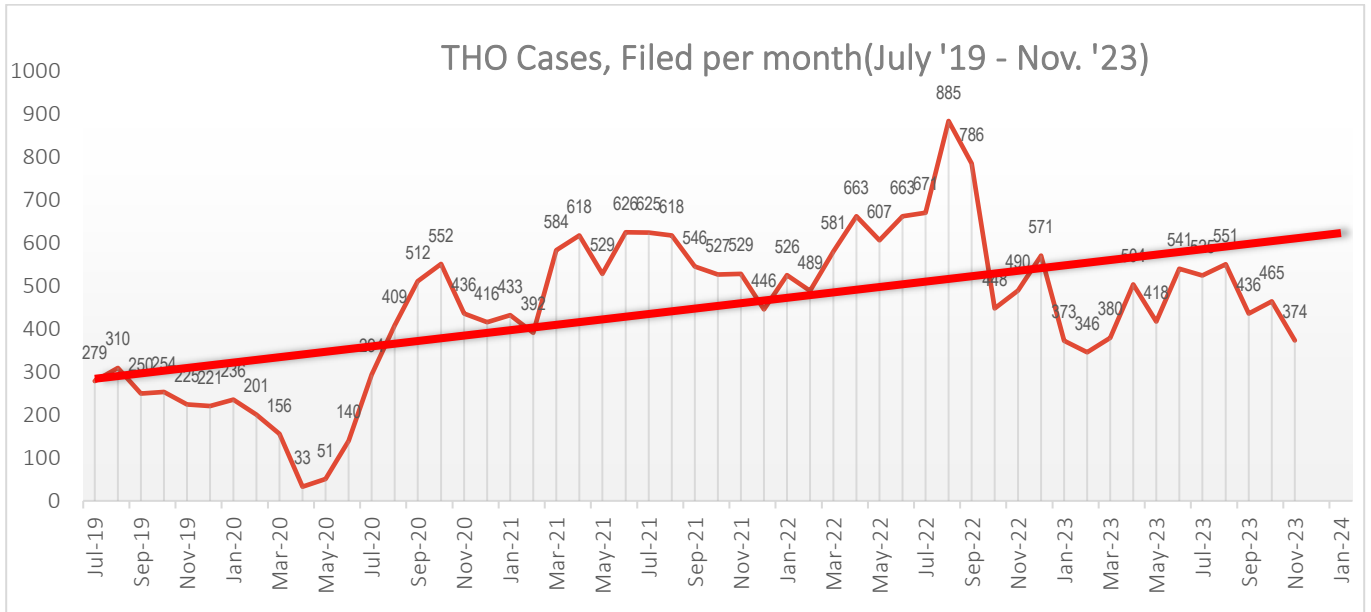
¹¹ *Id.*

¹² National Low Income Housing Coalition, *The Gap: A Shortage of Affordable Homes* 17, Fig. 10 (March 2023), available at https://nlihc.org/sites/default/files/gap/Gap-Report_2023.pdf; see also National Center for Smart Growth and Enterprise Community Partners, Inc., 2020 Maryland Housing Needs Assessment and 10-Year Strategic Plan 9 (2020), available at <https://dhcd.maryland.gov/Documents/Other%20Publications/Report.pdf> (citing a shortage of 85,000 rental units for extremely low-income households).

¹³ National Low Income Housing Coalition, 2023 Maryland Housing Profile, available at https://nlihc.org/sites/default/files/SHP_MD.pdf.

¹⁴ See District Court of Maryland, About: Statistics, <https://mdcourts.gov/district/about#stats>.

to the Covid-19 shutdown (247).¹⁵ In other words, eviction cases based on lease non-renewals spiked during the public health emergency and the post-emergency period of steep rent increases. The numbers have not come back down.



Maryland’s existing protection against retaliatory lease terminations (Real Property § 8-208.1), while helpful, is rarely invoked successfully. The law has numerous gaps that local just cause protections would fill:

- The retaliatory eviction statute applies only to “periodic tenancies,” such as month-to-month or automatically renewing leases. Consequently, tenants in 12-month leases have no protection from retaliatory eviction.
- The retaliatory eviction statute protects a limited list of protected activities, and that protection ends 6 months after the tenant’s protected activity occurred.
- The renter has the burden of proving the landlord’s retaliatory motive – without landlord having to state a reason for the termination and in a court process that does not allow discovery or time to subpoena records or witnesses.

HB0477 allows localities to establish broader protection against retaliation by requiring landlords to state a statutorily permitted reason for non-renewal and to prove that reason in court.

¹⁵ *Id.*

Just cause policy stabilizes our clients.

Mobile park tenant: Ms. J

In August 2022, MLA client “Ms. J” received a 60-day notice to vacate her rental unit. Ms. J had complained repeatedly to the landlord that a neighbor was harassing her. The neighbor had falsely accused Ms. J of selling drugs and gone to other lengths to intimidate her. After several months of Ms. J’s complaints to management, an attorney for the owner issued the non-renewal notice. MLA contacted opposing counsel, who conveyed that the owner had no stated reason for wanting to evict our client.

However, there was one issue that the owner’s attorney had not accounted for: this was a mobile home park, and Maryland law requires a mobile home park owner to satisfy at least one of four enumerated causes for eviction.¹⁶ When the owner realized they lacked a statutory cause to evict Ms. J, the parties negotiated a new lease. Absent the for-cause requirement in the applicable eviction law, Ms. J certainly would have been evicted from the home simply for complaining about harassment.

Subsidized housing tenant: Ms. E

At the end of September 2023, “Ms. E” received a notice that property management would not renew her lease. She had 60 days to remove all personal belongings and turn in the keys. The landlord did not give a reason for this turn of events. It did not seem to Ms. E that the landlord cared how this non-renewal would impact her job or how her son, who has a disability, would handle switching schools mid-year. According to rumors around the building, the property was being sold, and everyone would have to leave. When Ms. E contacted Maryland Legal Aid, we advised her that Maryland law allows no-fault evictions, but also that we suspected this particular property might need to meet additional requirements based on its federal subsidies. Ms. E stayed put while her attorneys were in touch with city officials to track down records that showed the good-cause requirement for lease non-renewal. Just before the 60 days were up, the city held a meeting at the building, announcing that no one should leave.

HB0477 ensures local legislatures can pass enforceable laws whereby no one is arbitrarily deprived of their housing. This enabling legislation recognizes that local legislatures desire to stabilize rental housing so that residents can contribute to the workforce and the local economy. Requiring good cause

¹⁶ Md. Code Ann., Real Prop. art. § 8A-1101.

as a precondition for an eviction can boost the stability of the housing market by stabilizing families, neighborhoods, and communities.

Maryland Legal Aid urges the Committee to issue a FAVORABLE report on House Bill 477. If you have any questions, please contact:

Zafar S. Shah, Assistant Director of Advocacy – Tenants’ Right to Counsel Project, at zshah@mdl原因.org or (410) 951-7672.



MARYLAND
LEGAL AID

Tenants' Right to Counsel Project

HB477 Testimony 2024 .pdf

Uploaded by: Zoe Gallagher

Position: FAV



**HB477 Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause
Termination Provisions
Position: Favorable**

4/1/2024

The Honorable Senator Smith, Chair
Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

CC: Members of the Senate Judicial Proceedings Committee

My name is Zoe Gallagher and I am a Policy Associate at Economic Action Maryland. Economic Action Maryland (formerly the Maryland Consumer Rights Coalition) is a people-centered movement to expand economic rights, housing justice, and community reinvestment for working families, low-income communities, and communities of color. Economic Action Maryland provides direct assistance today while passing legislation and regulations to create systemic change in the future.

I am writing today to urge your favorable report on HB477, which would establish good cause laws, requiring landlords to provide a reason for lease non-renewal.

Our tenant advocacy program has a hotline for renters and landlords to call for advice about their rights and responsibilities under the law as well as receive warm referrals to legal services and other assistance. Our staff attorney also provides brief legal advice to tenants. We serve between 900-1200 Maryland residents a year with the majority of tenants living in Central Maryland. Lease non-renewal is a serious concern, especially with private equity firms purchasing properties all around the state.

Because Maryland is a “no cause” state, a landlord does not have to provide any justification for lease non-renewals, putting tenants in a vulnerable position where they have no idea whether or not their lease will be renewed the following year. Housing stability is incredibly important for the wellbeing of children and adults alike. Low-income children who switch schools frequently due to housing instability tend to perform less well in school and are less likely to graduate from high school. Adults facing housing instability have worse mental health outcomes and higher levels of anxiety and depression¹.

Additionally, moving is an incredibly costly process that can put a renter back thousands of dollars. Not only are tenants required to pay first month’s rent and a new security deposit before receiving the one from their last unit back, they must also pay the cost of moving supplies. It can also be incredibly difficult to even find another unit that is affordable based on income, leading many to become further cost burdened by rent.

¹<https://nhc.org/wp-content/uploads/2017/03/The-Impacts-of-Affordable-Housing-on-Health-A-Research-Summary.pdf>



There have also been instances of landlords retaliating against their low-income tenants for organizing and demanding repairs for safer living conditions by refusing to renew the tenant's lease. Retaliation from landlords is used as a fear tactic to prevent tenants from asking for repairs and improvements in their rental units, forcing tenants to live in substandard housing or risk losing their homes.

Since renters are more likely to be low-income than homeowners,² these problems become an issue of economic justice, where low-income renters are more likely to be thrown into financial instability because of Maryland's "no cause" policy on lease non-renewals.

Everyone should be provided with a reasonable level of housing security regardless of their income level. For these reasons we urge a favorable report on HB477.

Sincerely,
Zoe Gallagher, Policy Associate

²<https://www.pewresearch.org/short-reads/2021/08/02/as-national-eviction-ban-expires-a-look-at-who-rents-and-who-owns-in-the-u-s/>

HB0477 Jacobsohn favorable with amendments.pdf

Uploaded by: Deedee Jacobsohn

Position: FWA

4/2/2024

Deedee Jacobsohn
North Bethesda, Maryland

**Testimony on HBO477—Position: Favorable with Amendments
Landlord and Tenant - Residential Leases and Holdover Tenancies - Local
Good Cause Termination Provisions**

My name is Deedee Jacobsohn and I am a resident of District 16 in Montgomery County. I am submitting this testimony **in support of HBO477: Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions.**

I am a volunteer member of several organizations that are fighting for safe, secure, affordable housing in Montgomery County. I have heard many distressing stories from tenants experiencing housing insecurity. But the most infuriating stories were from immigrant women who were fighting for their communities and found themselves losing their homes when their landlords evicted them by not renewing their leases.

These women were doing amazing things—organizing food hubs, pushing for more outdoor lights and cameras to improve safety, collecting evidence of vermin and mold to force management to address the widespread unsanitary conditions in some buildings, and organizing other tenants to work together to improve their living conditions. Then they were forced out. I know of several who were unable to find affordable alternatives in the same communities. They thus lost their homes, their neighborhoods, and the support networks they had developed. This type of dislocation is devastating to the children who had to leave their schools; it is also detrimental to the community in general.

HBO477 would allow counties to enact “good cause” laws to prevent this type of retaliatory eviction, and provide greater security for tenants.

HBO477 requires amending by the Senate Judicial Proceedings Committee to close some loopholes in the current version of the amended bill.

- Please **close the corporate landlord loophole** that would enable a landlord to hold an ownership interest in units through multiple individual LLCs or Partnerships and thus be exempt from the “Good Cause” eviction law.
- Please **create an objective standard** for determining whether a tenant is habitually late on rent, for example by focusing on whether the landlord has obtained 4 or more rent judgments in the past 12 months.

Everyone deserves to have a safe and stable home; it is a cornerstone of a healthy and flourishing community. But there can be no stability without protection from arbitrary or vindictive evictions by non-renewal of leases.

I respectfully urge the committee to **return a favorable report with amendments on HBO477.**

HB477_Jeffrey Rubin_FAV+Amendments.pdf

Uploaded by: Jeffrey Rubin

Position: FWA

April 2, 2024

Jeffrey S. Rubin
Potomac, MD 20854

TESTIMONY ON HB477 - POSITION: FAVORABLE WITH AMENDMENTS
Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Good Cause Termination Provisions

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

FROM: Jeffrey S. Rubin

My name is Jeffrey S. Rubin. I am a resident of District 15. I am submitting this testimony in support of HB477, Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Good Cause Termination Provisions.

The home is a focal point for a web of social interactions that includes friends, neighbors, schools, and other civic institutions. It follows that individuals, their families, and entire communities fall apart as a result of eviction. For years, eviction has been a significant problem in Montgomery County, as well as other jurisdictions across our state, and it remains a serious concern as tenants face ongoing housing shortages and rising rents.

HB477 is designed to allow local jurisdictions to choose to enact protections for tenants, while respecting the needs and rights of the landlord. It outlines an array of circumstances that justify a landlord's decision not to renew the lease of a renter. These conditions could include various contractual obligations to the landlord and specific provisions that allow the landlord to make other use of the property. However, it does not permit the landlord to displace renters in the absence of a good cause.

This has become an even more pressing issue in jurisdictions like Montgomery County that have adopted a policy of rent stabilization. Some landlords may be tempted not to renew a tenant's lease as a way to circumvent the rent stabilization policies. Unfortunately, there also are instances when landlords choose not to renew a lease to rid themselves of residents who ask for repairs of unhealthy, substandard housing.

An amendment in the House exempted landlords who own five or fewer units in a particular county. When determining whether a landlord has six or more units, the term "landlord" should include anyone who has an ownership interest in the landlord when the landlord is an

LLC or partnership. Otherwise, an unscrupulous individual could own hundreds of separate units through distinct LLCs and avoid the law.

In its current form, HB477 lacks a verifiable standard for determining when a tenant is habitually late on the rent, one of the “Good Causes”. I suggest that an objective standard for late rent would be whether the landlord has obtained four or more rent judgments in the past twelve months.

With these amendments, HB477 would provide much needed security for tenants, while acknowledging the needs and rights of landlords. **I respectfully urge this committee to return a favorable report on HB477 with amendments that close the LLC loophole and provide an explicit standard to define late rent as proposed above.**

MMHA - 2024 - HB 477 - Just cause eviction - JPR.p

Uploaded by: Aaron Greenfield

Position: UNF



Bill Title: House Bill 477, Landlord and Tenant - Residential Leases and Holdover Tenancies - Local Good Cause Termination Provisions

Committee: Judicial Proceedings Committee

Date: April 2, 2024

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/>

House Bill 477 is enabling legislation authorizing a county to enact provisions that prohibit a landlord from failing to renew a lease during the lease period or seeking to terminate a holdover tenancy without just cause. The local ordinance must require a landlord to provide written notice by first-class mail with a certificate of mailing to a tenant stating the good cause for the nonrenewal of a lease or the termination of a holdover tenancy. Good cause for nonrenewal includes specific areas, namely, a substantial breach of the lease after receiving notice to cure and the tenant fails to comply and disorderly conduct that the tenant fails to cease.

House Bill 477 provides tenants with a life tenancy in the property. The bill fundamentally changes a lease from a two-party contract - between the landlord and tenant - to a unilateral one. For the first time in Maryland history, this bill establishes a property ownership interest of the tenant in the unit. The concept of a tenant holding over becomes a nullity. This bill gives the tenant a stick out of the owner's proverbial "bundles of property rights" that was neither bargained nor paid for. This is unconstitutional under the State Constitution and legislative action that attempts to do so has been previously deemed as such in Muskin v. SDAT, 422 Md. 544,30 A.3d 962 (2011).

Additionally, the passage of this bill eliminates a property owner's obligation to protect its residents right to the quiet enjoyment of their residence since a landlord would be required to serve a nonrenewal notice on a resident at the end of the lease term. It would require an owner to "show cause" and obtain a court order to terminate a lease and remove an offending tenant from the property.

House Bill 477 forces housing providers to obtain enhanced documentation and public records in order to meet the just cause standard. Police and fire departments inconsistently respond to Public Information Act (PIA) requests and delays in receiving data can take 60 days.



Reports are heavily redacted, often denied due to ongoing investigation and can cost as much as \$25.00 for an initial report. As a result, public safety agencies will see an increase in costs and workload due to calls placed by property owners to memorialize the disorderly or criminal behavior and respond to greater demand for public records.

This process also pits neighbor against neighbor. Under House Bill 477, owners and managers would have to rely on crucial evidence to evict problem residents including resident testimony. Residents are unlikely to testify in opposition to harassing or even dangerous residents as this would place them in harm's way. As a result, these measures foster an adversarial relationship between rental property owners and their residents as they become frustrated with the inability of property owners to act on their complaints and remove problem residents. When issues arise, community residents are subjected to living on the property without relief while the investigative and judicial process to convict an individual of a crime takes time. The outcome is good residents move out.

Finally, there is a fundamental unfairness to just cause eviction. Specifically, when a tenant chooses to give notice and vacate a rental property, there is no requirement to give just cause. Why then should a landlord be required to give a just cause? This bill legislates an unconstitutional imbalance in the landlord-tenant relationship.

For the foregoing reasons, MMHA respectfully requests an unfavorable report on House Bill 477.

Aaron J. Greenfield, Director of Government Affairs, 410.446.1992

AOBA HB477 - UNF - JPR.pdf

Uploaded by: Brian Anleu

Position: UNF



Bill No: House Bill 477 – Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Good Cause Termination Provisions

Committee: Judicial Proceedings

Date: April 2, 2024

Position: Unfavorable

The Apartment and Office Building Association of Metropolitan Washington (AOBA) submits this testimony in opposition to House Bill 477. 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.

HB 477 allows a county to enact a local law that prohibits a housing provider from deciding not to renew a lease or terminate a holdover tenancy without “good cause.” In practice, good cause laws require housing providers to renew a tenant’s lease in perpetuity unless the provider can prove in court the existence of one of the good causes for non-renewal. While the legislation is presented as a tenant’s rights bill, good residents will suffer if apartment owners cannot remove problem residents. AOBA opposes this bill for the following reasons:

- **It will be more difficult to remove nuisance tenants.** This bill requires a housing provider to prove in court one of ten listed good cause reasons for not renewing a lease. Good tenants expect their housing provider to provide them with the quiet enjoyment of their premises, and do not want to be dragged into court to testify against a problematic neighbor. Neighboring tenants will often not testify against the problem tenant for fear of retribution. If the housing provider cannot document and prove the offending behavior, the nuisance tenant will never be removed, and the good tenants will ultimately leave.
 - **The bill does not define what constitutes a “substantial breach of lease.”** Attached to this testimony is a recent article in the Washington Post detailing how tenants in Washington, DC, often have to live with second smoke from neighboring apartments. The article highlights how difficult it is to evict these problem tenants in DC, which is caused, in part, by the City’s good cause law.
 - **The bill does not define how many repeated minor violations are necessary to non-renew.** The bill attempts to resolve the substantial breach of lease problem by adding repeated minor violations as good cause. However, it does not define

how many repeated violations would be necessary to not renew a tenant. Without a clear number of repeated violations, a judge would have to decide whether minor violations are frequent enough to disrupt the livability, interfere with the management, or have an adverse financial impact on the property. In practice, this would likely drag out evictions as noted in the Post article.

- **Non-renewals are infrequent.** Most tenants abide by the community rules and pay their rent on time. Housing providers have every incentive to keep such tenants in place as long as possible. However, each year about one percent of tenants are the subject of repeated neighbor complaints due to their conduct, threatening behavior, noise, illegal activity, or other lease violations.
- **The bill allows permanent month-to-month tenancy.** One of the good causes in the bill is a tenant's failure to accept a landlord's offer of a new lease agreement. However, the landlord must use this cause within 1 month after the tenant refuses the new lease agreement. Otherwise, the landlord would lose the ability to use this refusal as cause, which would create a permanent month-to-month tenancy absent some other cause.
- **Litigation costs will increase.** Proving good cause will require considerable documentation and proof that lease violations are occurring. This will compound legal costs and raise operating expenses for housing providers that are already operating on tight margins.
- **Housing providers have a built-in financial disincentive to pursue evictions.** Turning over units and evicting tenants is costly. On average, it can cost 2.5 months of rent or more than \$5,000 to turnover a unit. That does not include income lost from the unit being off the market. If a landlord must evict a tenant, those costs can multiply due to additional rent lost during the legal process.

For these reasons AOBA urges an unfavorable report on HB 477. For more information contact Brian Anleu, Vice President of Government Affairs, at banleu@aoba-metro.org

SOCIAL ISSUES

Apartment dwellers plagued by secondhand smoke have little recourse

Lackluster enforcement and barriers to eviction can leave tenants stranded in hazardous, smoky buildings



By [Danny Nguyen](#)

March 15, 2024 at 7:00 a.m. EDT

It was a snowy day in January, and Armande Gil’s apartment windows were open. A frigid draft swept through her home; warmth came at a cost. If she closed her windows, she wouldn’t have enough ventilation to get rid of the odor of tobacco and marijuana smoke that seemed to envelop her building.

Gil doesn’t smoke. And smoking isn’t allowed in the eight-story Northwest Washington apartment building she calls home. But smoke seeps in — through electrical sockets, air conditioning systems, crevices between floorboards and gaps in insulation.

“I had to transfer all my belongings in my bathroom to my kitchen to [brush] my teeth, to wash myself, because it was so full of smoke,” she said.

For Gil, who has a history of pulmonary embolisms, chronic secondhand smoke exposure could put her at greater risk of another clot.

Yet in the District, there are no laws that protect tenants against secondary exposure to smoke in their apartments. Landlords can prohibit smoking in their leases, and many do, said Joel Cohn, legislative director at the D.C. Office of the Tenant Advocate. At the Parkwest, where Gil lives, all leases issued since late 2016 have no-smoking clauses.

But residents of several D.C. apartment buildings told The Washington Post their landlords weren’t enforcing these rules. When they do, court records show landlords can get stuck in years-long court eviction battles with residents while their neighbors continue breathing secondhand smoke.

So in May 2022, Gil filed a lawsuit against her landlord, Daro Realty.

“My clothes were smelling like cigarettes all the time,” she said, and the rest of the building wasn’t much better. “The stairs, the elevator — everything is full of smoke.”

Daro Realty could not be reached for comment. Its parent company, Infinity Collective, did not respond to requests for comment. Borger Management, which took over building operations last year after Daro Management was forced to dissolve in 2022, declined to comment because the case is still pending.

J.P. Szymkowicz, an attorney who has represented nonsmokers in more than 30 housing cases, said the process can be so slow that he often recommends that tenants move out.

Gil said Daro made the same suggestion. It’s not a realistic option for her, she said, because she relies on rent control to afford housing in the District, and the suggestion has left her feeling pushed out of her home even though she said she has done nothing wrong.

‘It looked like a fog’

Outside the Parkwest, a sign reads: “No smoking within 25 feet of entryways, doors and windows. Thank you for respecting our smoke-free community.”

But at many points, “you could actually see [the smoke],” said Timothy Washington, a Marine Corps veteran who has lived in the building since 2017. “It looked like a fog, like a smoke machine. My eyes burned.”

In 2021, Daro offered to move Washington to an apartment on another floor. He said he has experienced less secondhand smoke since he switched units, though the problem hasn’t been eliminated.

Washington, who has first-stage renal failure that can be exacerbated by chronic secondhand smoke exposure, said he has looked for another place to live but hasn’t found anything in his price range that’s more appealing than his \$2,405-a-month one-bedroom residence, even if it’s compromising his health.

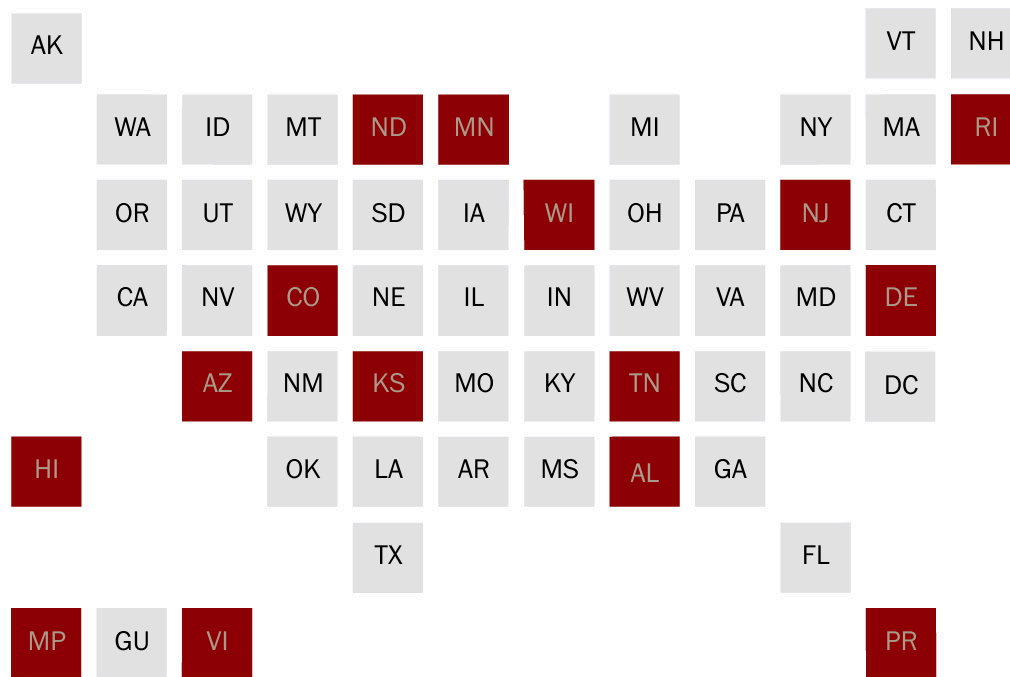
Some states have passed laws to regulate smoking in apartment buildings, noted Cynthia Hallett, president and CEO of the American Nonsmokers’ Rights Foundation. Utah law declares secondhand tobacco smoke in residential units a nuisance, establishing a basis for lawsuits. Maine and Oregon require landlords to disclose a building’s smoking policy to prospective tenants. And the U.S. Department of Housing and Urban Development requires all public housing in the country to be smoke-free.

Sixteen states and U.S. territories have restricted smoking in common areas of private housing, according to the Centers for Disease Control and Prevention, but none have restricted smoking in residences there.

Sixteen states and territories have restricted smoking in common areas of private housing, according to CDC data

■ Restricted ■ Not restricted

ME



Palau and Marshall Islands are not included.

These regions do not have smoking bans in private housing.

Source: Centers for Disease Control and Prevention DANNY NGUYEN AND CHIQUI ESTEBAN/THE WASHINGTON POST

Marijuana advocates are wary of efforts to crack down on smoking in people’s homes, because [D.C. law](#) prohibits smoking marijuana in public spaces. People who smoke medical marijuana need safe spaces to do so, said Morgan Fox, political director of the National Organization for the Reform of Marijuana Laws, a marijuana advocacy group. A designated outdoor smoking area, Fox said, “would provide a legal space to consume cannabis that is away from the general public and is also not in danger of encroaching upon quality-of-life concerns for neighbors.”

‘How much more do I have to take?’

Gil and her neighbors feel helpless as cigarette butts accumulate on their balconies and windowsills, dropped by smokers from the roof deck and windows on upper floors. Several have also had to contend with rent increases as they’ve battled management over the smoke.

Daro raised Gil’s monthly rent from \$2,035 to \$2,161 in 2022. Because the building’s apartments are rent-controlled, the landlord can raise the rent only if the units are in “substantial compliance with the housing regulations,” according to [D.C. law](#). Marc Borbely, Gil’s attorney and the founder of the [D.C. Tenants’ Rights Center](#), said the chronic secondhand smoke exposure could violate the housing code, because the smoke has impaired the health of the building’s tenants.

“Just like a landlord is required to prohibit roach infestations or mold or asbestos or other toxins from entering units and causing harms, similarly, every tenant in the District has a right to live in a unit that is free of secondhand smoke,” Borbely said.

A spokesperson for the D.C. Department of Buildings, which enforces the housing code, said in a statement that secondhand smoke and odors “are not considered code violations under District housing or property maintenance law” and that “DOB has no regulatory authority over residents who smoke in apartment buildings.”

In June, Gil paid about \$650 to hire a secondhand smoke consultant to assess nicotine levels in her home. The consultant found relatively high concentrations of nicotine and estimated the smoke particulate concentration to be 339 micrograms per cubic meter, according to a report shared with The Post. The U.S. Environmental Protection Agency defines hazardous outdoor air quality as anything above 225 micrograms per cubic meter of smoke particles. The consultant wrote in the report that the degree of secondhand smoke exposure in Gil’s apartment “pose[d] a grave risk” of cardiovascular and respiratory disease and cancer.

Suzaynn Schick, who studies secondhand smoke exposure at the University of California at San Francisco, said the results suggested the unit was “smoky.”

“No one in the District should have to live in unsafe and unhealthy conditions,” Robert C. White Jr. (D-At Large), the chair of the D.C. Council’s housing committee, told The Post. He added, “If someone is smoking inside of a building in violation of their lease and harming other tenants’ health, a landlord has to be able to evict them.”

Last year, D.C. Superior Court Judge Ebony Scott ruled that secondhand smoke in Josefa Ippolito-Shepherd’s Cleveland Park duplex caused her significant harm and infringed on her right to fully use and enjoy her property. Her neighbor, who used marijuana for medicinal purposes, was ordered to stop smoking. (Schick said the compounds in cannabis and tobacco smoke are “more similar than they are different” and have comparable health consequences when breathed secondhand.)

But decisions in lower courts such as D.C. Superior Court don’t set a binding precedent; another lower-court judge, including in the Office of Administrative Hearings, can rule differently, noted Steve Hessler, an attorney who has worked on dozens of cases involving enforcement of smoking bans.

As Gil’s case drags on, the battle in the Parkwest has gotten ugly. Tenants whom she has pointed out to management as suspected smokers have blocked her path in the hallway, she said. Last summer, she found a menacing note on her door, a collage of cut-out newspaper letters that she shared with The Post, which read, “you have 30 days to move ... before you get kill[ed],” followed by an expletive. She believes it was connected to her fight against smokers.

Gil said she has spent more than \$20,000 on legal fees and evidence-gathering for her lawsuit. Her health and well-being have declined, she said, and her nausea is often unbearable until she opens her windows. In the winter, she sometimes wore mittens in her apartment and tried to spend as much time outside as she could, she said.

It’s been nearly two years since she filed her lawsuit, and she still has nothing to show for it.

“How much more do I have to take?” she said.

MBIA Letter of Opposition HB 477 .pdf

Uploaded by: Lori Graf

Position: UNF

April 2, 2024

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

RE: HB 477 Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Just Cause Termination Provisions

Dear Chair Smith:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 477 Landlord and Tenant – Residential Leases and Holdover Tenancies – Local Just Cause Termination Provisions**. MBIA **Opposes** the Act in its current version.

This bill would authorize any county to adopt by local law or ordinance provisions that would prohibit a landlord of residential property from failing to renew a lease and acknowledges in the text that landlords can have tenants for which a variety of Just Causes can induce a landlord not to renew a lease. This bill would take away a landlord's rights to exercise their rights under a legal contract agreed to by both parties that is designed to protect landlords from tenants that are unfit for the premises.

Furthermore, it places an unfair and potentially expensive burden on landlords and invalidates leases that are legally binding and mutually agreed to.

Lastly, due to the housing shortage, this is a time that we should be encouraging investment in Multi Family Construction. When investors look at projects they look the entirety of the project and the risk involved. The risk includes regulations and other things that make being a landlord difficult in the State of Maryland. For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

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

HB 477X_realtors_unf.pdf

Uploaded by: William Castelli

Position: UNF



**House Bill 477 – Landlord and Tenant – Residential Leases and Holdover Tenancies –
Local Good Cause Termination Provisions**

Position: Unfavorable

Maryland REALTORS® oppose HB 477 which would authorize local government to pass “Good Cause” eviction laws. This enabling legislation undermines the fundamental nature of leasehold real estate.

Leasehold or rental real estate is a function of both property and contract law. In a leasehold estate, a tenant is given specific property rights like possession for a certain period of time as determined by the parties in a contract (the lease). The leasehold estate is not meant to be permanent and when the lease term ends a landlord may regain possession.

HB 477, even as amended by the House, removes the certainty of the end of the lease as agreed to by both parties. Unless a landlord exercises certain “Good Cause” reasons to end the lease, the landlord must continue to rent to the tenant for as long as the tenant wants to live there. Although the termination date of the lease will apply to landlords regardless of why a tenant decides to move on, the termination date may not apply to the tenant who will largely be in control of when that lease termination takes place. As long as tenants meet the established criteria set forth in the bill, tenants will not be subject to the lease’s termination date.

Although rental properties subject to HUD regulations already comply with federal “Good Cause” holdover provisions, those provisions exist because the landlord is receiving compensation from the government. As such, the landlord is subject to different HUD rules including different rules on inspection, lease agreements and other matters.

HB 477 will limit landlords’ property rights in their own property and fundamentally alter a leasehold estate. For these reasons, REALTORS® recommend an unfavorable report.

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