



# NAACP

Maryland  
STATE CONFERENCE

February 27, 2024

Environment and Transportation  
Maryland General Assembly  
Annapolis, Maryland

Re: HB 1117 – Landlord and Tenant - Failure to Repair Serious and Dangerous Defects - Tenant Remedies (Tenant Safety Act of 2024)

Members of the Committee,

We are writing to offer strong support for House Bill 1117, the Tenant Safety Act. This crucial piece of legislation addresses the urgent need to ensure that all Maryland residents have access to safe and habitable housing, particularly those in marginalized communities who are disproportionately impacted by substandard living conditions.

In Maryland today, far too many families face the harsh reality of living in uninhabitable conditions. Shockingly, the number of renting families enduring these conditions far exceeds the number who file complaints seeking rent escrow as a recourse. This alarming trend is driven by various factors, including fear of landlord retaliation, lack of legal counsel, and insufficient funds to meet rent demands amidst ongoing disrepair. Moreover, a damning investigative report by the Baltimore Sun in 2016 exposed the systemic failures of the rent escrow system, wherein only 6% of cases resulted in immediate relief for renters, further exacerbating the plight of vulnerable communities.

The Tenant Safety Act presents a comprehensive solution to rectify these injustices and hold landlords accountable for maintaining safe and habitable living conditions. This legislation will enact five critical provisions aimed at improving the efficacy of rent escrow and safeguarding tenant rights:

1. **Joining Similar Rent Escrow Cases Together**: Facilitating the consolidation of rent escrow cases with identical repair issues and landlords will empower tenants to collectively hold negligent landlords accountable, amplifying their voices and strengthening their legal standing.
2. **Resetting Expectations**: By mandating a reduced rent payment into escrow when landlords fail to make repairs, tenants will retain financial agency and incentivize landlords to expedite necessary repairs to avoid loss of rent, thereby fostering a more equitable resolution process.

3. **\*\*Warranty of Habitability\*\***: Clarifying tenants' rights regarding past-due rent in cases of landlord negligence by codifying the existing "warranty of habitability" will provide legal clarity and enhance tenant protections under Maryland law.

4. **\*\*Addressing Mold Hazards\*\***: Recognizing the severe health implications of mold exposure, particularly in marginalized communities, by allowing tenants to seek rent escrow when mold poses a threat to life, health, or safety will ensure prompt remediation and mitigate health risks.

5. **\*\*Leveling the Playing Field with Attorney's Fees\*\***: Empowering tenants to recover attorney's fees and costs in successful rent escrow cases will promote greater access to legal representation and redress disparities in legal resources, thereby leveling the playing field for tenants navigating complex legal proceedings.

House Bill 1117 represents a pivotal opportunity to enact meaningful change and uphold the fundamental right to safe and dignified housing for all Maryland residents, particularly communities of color who bear the brunt of housing inequities. By addressing systemic barriers and enhancing tenant protections, this legislation will not only improve individual living conditions but also foster healthier, more resilient communities statewide.

In closing, I urge you to prioritize the passage of House Bill 1117 and stand in solidarity with Maryland residents who deserve nothing less than safe, habitable housing. Together, let us reaffirm our commitment to justice, equity, and dignity for all.

Thank you for your attention to this critical matter.

In Service,

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