



House Bill 1076

Residential Real Property - Landlord and Tenant - Notice of Landlord Entry

Hearing in the Senate Judicial Proceedings Committee
On March 26, 2025

Position: FAVORABLE

Maryland Legal Aid submits its written testimony on HB1076 at the request of bill sponsor Delegate Jen Terrasa.

Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. Our 12 offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, including for Marylanders struggling with substandard housing conditions. We urge the Committee's favorable report on House Bill 1076.

Maryland law does not prescribe the reasonable amount of notice a tenant is due when their landlord seeks to enter the rental unit. This gap in the law sets Maryland apart from 38 other jurisdictions, including neighboring District of Columbia and Virginia. HB1076 will fill a gap in the law that otherwise leads to conflicts between landlords and tenants.

HB1076 requires landlords to provide 24-hour written notice to tenants prior to entry, except in emergency scenarios in which the landlord must "ensure the imminent protection or preservation of the property or the imminent protection and safety of any occupants." The bill also allows for electronic notice – by text message, e-mail, or web portal – if a tenant has opted into that method of delivery.

Tenants reasonably believe that they are entitled to privacy under the terms of their lease, even when the landlord or an agent of the landlord desires to intrude on that privacy. Indeed, Real Property Art. § 2-115.8 states that a "covenant of quiet enjoyment applies to residential, as well as commercial, leases." This covenant requires landlords to take affirmative steps to avoid undue interference with the tenant's possession of the rental property.

In many of MLA's cases, landlords provide our clients only a few hours' notice, typically over text message, and when our clients are unable to allow entry, they face accusations of unreasonably refusing the landlord's access. In other instances, our clients find that the landlord or its contractors entered the property despite knowing they would not be home. In many instances, our clients' children have been unable to prevent the landlords' or contractors' entry, thereby exposing these children to uncomfortable interactions with unfamiliar adults outside the presence of their parents.

HB1076 will set a clear standard of notice that reduces conflict and promotes clear expectations of conduct. Importantly, too, the bill includes enforcement provision by which a tenant may seek damages or an injunction against a landlord that refuses to follow notice requirements.

For all these reasons, Maryland Legal Aid urges the Committee's **FAVORABLE** report on House Bill 1076.

If you have any questions, please contact:

Zafar Shah, Advocacy Director for Human Right to Housing
(443) 202-4478
zshah@mdlab.org