



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 24, 2025

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

From: Delegate Jen Terrasa
District 13, Howard County

Re: Sponsor Testimony in Support of HB 1076 - Residential Real Property - Landlord
and Tenant - Notice of Landlord Entry

Dear Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

Thank you for the opportunity to present HB 1076, which protects tenants and makes landlord tenant interactions more predictable by specifying when landlords are allowed access to a tenant's premises and what notice is required.

What problem is this bill trying to solve?

When a landlord rents a property, they contractually grant the tenant the exclusive right to occupy the property. Tenants reasonably believe that they are entitled to privacy in exchange for their obligations under the lease. That is, tenants are entitled to reside in their homes without undue interference from the landlord or third parties.¹

Common sense dictates that there are some situations in which a landlord may need to enter a rented property. For example, it makes sense for a landlord to enter in an emergency for the health, safety, and welfare of the tenant or other tenants and staff. In addition to emergency situations, the landlord may need to access the premises for the purposes of repairs, inspections, or showing the unit to a prospective tenant or buyer. Other than in emergency circumstances, such visits are generally not of an urgent nature and can and should be scheduled in advance, and the tenant should be given reasonable notice.

¹ Maryland law specifies that a lease for real property contains an implied covenant of quiet enjoyment unless otherwise specified. Maryland Real Property Article § 2-115.

Currently, while some counties offer some guidance about what is reasonable in these situations,² Maryland does not have a statewide law that addresses landlord entry. This gap in the law can lead to problems that range from inconvenience to awkward to completely inappropriate. For example, folks may be in the middle of a family meal or a bedtime routine, the person could be having a work meeting or date night. Even more disturbing are accounts of landlords who suspiciously enter the property repeatedly when a lone female tenant is showering or undressed.

Beyond inconvenience, outright inappropriateness, or danger, a major problem with this lack of clarity in the law is that it allows landlords to raise as a defense in a rent escrow case, the tenant's supposed "refusal" to allow the landlord entry into the property. This interferes with one of the few remedies tenants have when a landlord refuses to perform necessary repairs (which is escrowing rent money) and gives unscrupulous landlords an excuse for that inaction.

HB1076 addresses this problem

House Bill 1076 will help landlords and tenants avoid conflict by setting a clear standard of notice and acceptable purposes for entry. It does this by specifying that landlords can only enter leased residential premises in the event of an emergency or if the tenant gives specific permission to enter the property sooner. For all other purposes, such as maintenance or repair, or to show a soon to be vacated unit to a potential renter, the tenant has been given notice at least 24 hours in advance, and landlords may only enter between 7 am and 7 pm.

Many landlords recognize that it benefits them to have clear rules communicated to tenants regarding landlord entry into a rented property. For this reason, residential leases often contain a provision governing when the landlord may enter.

Out of 50 states and the District of Columbia, 38 jurisdictions have laws addressing when a landlord may enter a rented property. They have these laws because they simply make sense. It's time for Maryland to join them.

I respectfully urge a favorable report on House Bill 1076.

² Prince George's County has its own local law regarding this issue. See Prince George's County Code § 13-155.