



## **Senate Bill 46 – Criminal Law - Fraud - Possession of Residential Real Property**

### **Position: Support**

Maryland REALTORS® supports SB 46, which addresses the fraudulent real estate practice of “squatting.”

Within the past year, REALTORS® have reported increased incidents of squatting in residential properties, typically those that are vacant or listed for sale or rent, but also those where an owner is temporarily away. Scammers that have no legal rights to the property illegally occupy these residences.

Often, they will also produce forged leases or other documents which on initial review might indicate they have a right to occupy the residence. When these documents are presented to law enforcement responding to the squatting situation, it can be difficult to determine who has rightful ownership. As a result, property owners are told that this is a matter for the courts, and it may be weeks or months before the property is restored to them.

SB 46 would provide recourse to affected property owners by allowing them to sign an affidavit asserting their rightful possession of the property. This provides a basis for law enforcement to remove illegal occupants in an expedited manner. The bill also provided financial penalties for those illegally occupying the property.

When property owners are victimized by fraudulent activity, it is essential that their properties are restored to them in the quickest and easiest process possible. SB 46 provides this to current and future homeowners and renters who have been victims of squatters, and we ask for your favorable report.

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