

SB0442 - TENANT POSSESSIONS RECOVERY ACT

HEARING BEFORE THE HOUSE JUDICIARY COMMITTEE

2/6/25

Position: Favorable

Shore Legal Access (formerly Mid-Shore Pro Bono) supports SB0442. This bill requires landlords to provide notice to a tenant when a warrant of restitution has been issued by a court in certain eviction actions. This bill also establishes specific procedures that address the disposition of the personal property of tenants following the execution of a warrant of restitution.

Shore Legal Access (SLA) connects people on the Eastern Shore with limited financial means to legal representation and essential community resources. Each year, SLS helps over 3,800 people in our communities access the legal system when they would otherwise be shut out. Our small legal team and network of volunteer lawyers provide free legal services for eviction prevention, criminal record expungement, life and estate planning, family law, foreclosure, and consumer debt. These services help families gain financial and housing stability and create safe, secure homes for children.

SLA is a provider of legal services under the Access to Counsel in Evictions (ACE) program in 8 Eastern Shore counties (Caroline, Dorchester, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester). Tenants on the Eastern Shore have embraced the opportunity to obtain legal representation through the ACE program since the program began in 2022. Since July 1, 2022, SLA's staff and volunteers have represented over 1,660 Eastern Shore tenants with mover favorable outcomes in nearly every case. These services collectively helped tenants reduce their financial burden by over \$368,000. When given the chance to have representation, tenants are taking advantage of that option, and as a result, getting better outcomes.



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MAIN OFFICE | EASTON

499 Idlewild Avenue
Suite 102
Easton, MD 21601

SALISBURY OFFICE

4601-B E. Naylor Mill Road
Salisbury, MD 21804

p 410.690.8128

f 443.385.0210

shorelegal.org

Tenants on the Eastern Shore, just like tenants in other Maryland communities, face significant challenges locating and gaining access to safe and affordable housing. Such challenges make it very difficult to move their personal property when warrants of execution are issued and tenants are required to move. Our clients often comment on how difficult it is for them to find housing and many have tried to locate housing before and during the eviction process. For example, our clients have often said things like, "I have been looking for housing but I can't find anything." Our clients may not have a way to pack and transport their belongings, particularly older tenants who don't own a car or have friends or family who can help them move their belongings.

In some cases our clients have found themselves in substandard housing that may not meet local building code requirements. For example, one of our clients lived in a housing unit that a local housing enforcement agency determined was not up to code and not a legal unit. Our clients also find that there are long waiting lists for subsidized housing, which also makes it difficult to relocate. Both the lack of safe and affordable housing, as well as the long waiting lists for subsidized housing, are hurdles that prevent tenants from quickly moving their belongings after a warrant of restitution is issued by a court.

SB 0442 would reduce the burden to tenants who must move after a warrant of restitution is issued. SB0442 would provide clarity as to the process and the time period for the disposition of the personal property of tenants. This bill would also provide landlords with clear guidance as to how they should handle the personal property of tenant after an eviction. Currently, this process is unclear, other than the tenant must vacate before the local Sheriff's office carries out the eviction.

SLA supports SB0442 and urges the Committee's favorable recommendation on this bill. If you have any questions regarding our position on this bill, please contact Anthony Rodriguez, Esq. at tonrod1894@gmail.com or Meredith Girard, Executive Director at 410.690.8128 or e-mail mgirard@shorelegal.org.

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