



Testimony in SUPPORT of SB 442

Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent,
Breach of Lease, and Tenant Holding Over
(Tenant Possessions Recovery Act)
Hearing before the Senate Judicial Proceedings Committee

February 6th, 2025

Dear Honorable Chair William C. Smith, Jr., Vice Chair Jeff Waldstreicher, and Members of the Committee,

My name is Jacob Kmiech, and I am a Staff Attorney with CASA. CASA is the largest membership-based immigrant rights organization in the mid-Atlantic region, with more than 120,000 members in Maryland. CASA attorneys provide representation and consultations to tenants facing eviction across our state, particularly through our same-day representation program in Montgomery County, and regularly prevent evictions through candid legal advice. **Our members are generally working-class immigrants, who disproportionately face eviction but nevertheless work tirelessly toward a future where the rights of renters across our state are fully honored and protected.**

CASA is proud to offer testimony strongly in favor of the Tenant Possessions Recovery Act, SB 442. This legislation will ensure stability and clarity for Maryland families, protect the safety of renters and law enforcement, bolster our state's economy, and uphold due process rights for tenants that will prevent unnecessary hardship and homelessness. It will do this all by simply requiring advance notice of the date of an eviction and short term protection of a tenant's belongings.

Eviction is an endemic problem throughout Maryland. Between October 2022 and December 2024, at least [411,040 Warrants of Restitution were granted in Maryland District Courts](#). This is the document which orders a Sheriff to carry out an eviction. **Each eviction case is felt deeply by an entire household that is forced to make tough decisions within an extremely limited timeframe and without any clarity as to when an eviction may occur.** Should they try to stay, waiting for a paycheck that might not come in time to cancel an eviction? Should they pack up all of the belongings they can into their car and leave, facing homelessness until they are able, if ever, to move into a new home? Meanwhile, a ticking, invisible clock looms over their heads, alongside the threat that they could arrive home from work or school any day and find all of their belongings strewn on the street. If they knew an eviction was coming exactly one week away, this family would know that their paycheck would arrive just in time to prevent their homelessness. Or, in the alternative, if they knew an eviction was coming tomorrow, they would at least have the foresight to know that it was too late to wait.

The more aware that renters are of their situation, the less likely they will hold out hope until an eviction happens, lowering encounters with law enforcement and keeping both renters and our police safe. It will also simply lower the number of true evictions across our state.

I have personally witnessed many evictions since starting my work as an attorney with CASA. Even as a bystander, the emotional toil evictions take on a community are horrific. One day, I looked out from my apartment window and noticed that a neighbor's belongings were being tossed outside on the sidewalk, just a few feet away. **Most striking to me was a pile of his toddlers' toys - barbies, stuffed animals, building blocks, and the plastic pink and white storage chest they were kept in until it had been carelessly tipped over.** Within minutes, multiple cars had swooped in, and were trying to grab what they could from my neighbor. At each eviction I have witnessed, this activity is extremely common. **As soon as the sheriff steps away and heads to the next site, a person's property is fair game.**

I stepped outside, asking people if they knew what they were doing, taking away someone's personal documents and valuables. They sheepishly backed off. I stood guard near his belongings while I typed up a document on my laptop, until my neighbor returned home from work that evening. He was devastated. We spoke briefly, and I learned that he had not known an eviction was coming. I gave him some numbers to call and a bit of advice, and waited until he and his kids could get a truck to protect what was left.

Recently, I returned to an apartment community where a large number of evictions were ordered in spite of freezing temperatures that night. Several of my clients were assisting families who, just like my neighbor, returned home one day surprised to learn that many of their belongings were suddenly gone, and that they had nowhere to go. **I talked to one woman - we can call her Ms. B - whose two children clung to her legs, bewildered to see their toys scattered in the grass.** I gave her my card and talked about different options available to her, while meanwhile an unclaimed pile of belongings next to us lay ready for another victim to find on his return home from a late shift. **Her eyes were full of a panic that I hope never to see in a face again.**

Beyond the emotional toil that evictions have on Maryland families, they also cost Maryland millions. [In just one year alone, Access to Counsel in Evictions Program \(ACE\) Attorneys saved an estimated \\$46.7 million dollars](#) by bringing clarity into an otherwise obtuse eviction system for most renters and helping them make the case for their rights. More clarity about the eviction process helped renters make more informed economic decisions. Providing advance notice of the date of an eviction would have a similar effect, while also avoiding the economic disaster caused by immediately extinguishing a family's right to its property by rendering it abandoned on the street.

CASA strongly supports the Tenant Possessions Recovery Act, and urges the committee to provide a favorable report of SB 442.