

January 17, 2025

Hearing Testimony by Bill Sponsor Senator Ron Watson, Ph.D.

SB46 Criminal Law – Fraud – Possession of Residential Real Property

Good afternoon, Chair Smith and Vice Chair Waldstreicher, and members of the Committee. Senator Ron Watson, representing the 23rd Legislative District and I am here to ask your support for Senate Bill 46, the “Squatter Protection Law of 2025”.

The purpose of this bill is to create a law in Maryland to prevent criminals from breaking into homes and living rent-free while the homeowners have no way to get back their homes unless they go through a lengthy and costly process. Not only is this unfair to the homeowner but it is an injustice. This homeowner pays property taxes that help generate revenue for the state and local government and ideally, state and local governments should make it easy for property owners to swiftly remove squatters and have them face both civil and criminal penalties. The squatter is a criminal trespasser just like any other criminal and should be treated as such. Instead, homeowners are told by police that they can't do anything but instead, homeowners are forced to go through court to remove the trespasser. As you know, evicting a tenant costs lots of money and time with hiring an attorney and the cost of a hotel for the homeowner to live while someone is occupying their home. Homeowners end up waiting weeks for a court date and another 2 months for the Sheriff to remove the criminal. That could be 2 to 4 months without access to their home. We must do something to fix this issue now. SB 46 provides the help our homeowners need!

Under Senate Bill 46, a property owner can request their local Sheriff to immediately remove a squatter from their property with a sworn affidavit. It also creates penalties for those who engage in squatting and allows the homeowner to sue the squatter for damages.

Several other states (FL, GA, WV, etc.) passed legislation last year to prevent squatters and I implore Maryland to do the same. Don't allow Maryland to be a state that makes it easy for squatters to live rent-free and harm our homeowners while negatively impacting our housing market.

One Maryland homeowner, Darryl Brown, told the press that he regrets ever buying a rowhouse in Southwest Baltimore because it turned into a nightmare with multiple unsuccessful legal battles to evict squatters.

Mr. Brown called the police to remove squatters who had moved in while he was fixing up the house and the police said, “There's really nothing that you can do. The only thing you can do is go downtown.” So, he turned to the courts, writing an emergency petition for eviction because the squatters were stealing electricity and using drugs, but a judge denied it because there was no provision for an expedited trial.

Mr. Brown was confused but he did not give up. The court battle continued as the court denied the eviction a second time and eventually, he was able to get the judge-ordered eviction, but more than two weeks passed, while the sheriff's office was backlogged with cases and unable to carry out the eviction. That eviction order had not been served yet when someone was murdered in his home and then the house was set on fire with the body still inside. This is a tragic case when a court delays justice, refuses to do the right thing, and allows Maryland homeowners to suffer the consequences of their inaction.

Mr. Brown said he learned that there is nothing a landlord can do and while he hopes for change, he's not optimistic. SB 46 provides the needed change that Mr. Brown and other Marylanders are hoping for and if this committee will favorably pass SB 46, we will stop squatters in Maryland.

Today, I have a panel of witnesses like my constituent, Ms. Patrice Onwuka, who will tell you her story when she encountered a squatter. And the Maryland Realtors will testify in support of the bill and the damage that squatters have caused. In addition, I would like to submit for the record a letter of support from Prince George's County Sheriff Carr who is all too familiar with squatters in my county and the difficulty homeowners face in removing them. So, let's stop the squatter scam and protect our homeowners by passing SB 46 out of this committee favorably. Thank you.