

SB125

Uploaded by: Aaron Greenfield

Position: FAV



Bill Title: Senate Bill 125, Residential Real Property - Local Limits on Summoning Law Enforcement or Emergency Services

Committee: Judiciary Proceedings

Date: January 23, 2025

Position: Favorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

Current law prohibits a county or municipality from enacting a local law or ordinance that uses a threshold of requests for law enforcement or emergency services at a residential property as grounds for designating the property as a nuisance. It also prohibits penalizing an operator, owner, owner-occupant, or tenant for summoning law enforcement or emergency services, or for another individual's actions in requesting such assistance. Senate Bill 125 simply precludes a county or municipality from "enforcing" that local law or ordinance.

Housing providers certainly do not want criminal activity on their premises. However, these local laws could serve as a deterrent to residents responsibly calling for police and emergency services. We should not place residents in that predicament. MMHA thanks the Sponsor for her time, willingness to engage and work with us.

For these reasons, we respectfully request a favorable report on Senate Bill 125.

Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992

SB0125 Residential Real Property - Local Limits on

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0125
Residential Real Property
Local Limits on Summoning Law Enforcement or Emergency Services

Bill Sponsor: Senator Gile

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0125 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Our members understand and appreciate that first responder units are stretched pretty thin. They don't have the bandwidth to service repeat calls from the same property. In response, local governments have tried to protect their first responders by enacting laws to prevent repeated calls to the same property. However, Maryland SB0125 aims to ensure that residents can call for help without fear of penalties or exceeding threshold limits.

It is absolutely unacceptable for local governments to allow disasters to occur or lives to be lost because local ordinances discourage people from seeking help. This outcome is entirely counterproductive, as it instills fear in individuals who might hesitate to call for assistance in emergencies due to potential penalties.

Victims of domestic violence, people with disabilities, and low-income individuals are particularly disadvantaged by these punitive measures. SB0125 is essential to protect these vulnerable groups and ensure they can access the emergency services they desperately need without fear of repercussions.

We support this bill and recommend a **FAVORABLE** report in committee.

SB 125 - MNADV - FAV.pdf

Uploaded by: Laure Ruth

Position: FAV



BILL NO: Senate Bill 125
TITLE: Residential Real Property - Local Limits on Summoning Law Enforcement or Emergency Services
COMMITTEE: Judicial Proceedings
HEARING DATE: January 23, 2025
POSITION: **SUPPORT**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the COMMITTEE to favorably Report on SB125.**

In 2023, this body passed Senate Bill 215/Senate Bill 450, which prohibited landlords from including restrictions on calling law enforcement or emergency services or penalize a tenant solely for summoning law enforcement or emergency services. Because of a drafting oversight, that 2023 bill only prohibited local governments from *enacting* such ordinances, but didn't address the small number of local governments that have these ordinances already. Senate Bill 125 would close that loophole. Giving landlords the power to silence victims and to prevent them from seeking protection from law enforcement when necessary is very dangerous.

Similarly, nuisance laws negatively impact victims of domestic violence. These laws both deter victims from contacting police if they need protection or their assistance and cause homelessness or housing instability. Victims of domestic violence already experience housing obstacles with 38% of victims of domestic violence experiencing homelessness at some point in their lives.¹ One of the many reasons that a victim may not leave an abusive situation is due to their lack of economic security and inability to obtain safe and affordable housing. In addition, an abuser can use the nuisance laws to threaten a victim into silence by stating that they will be evicted or fined if they call the police.

¹ Charlene K. Baker, Cook, Sarah L., Norris, Fran H., "Domestic Violence and Housing Problems: A Contextual Analysis of Women's Help-seeking, Received Informal Support, and Formal System Response," *Violence Against Women* 9, no. 7 (2003): 754-783.

For further information contact Laure Ruth ■ Public Policy Director ■ 301-852-3930 ■ lruth@mnadv.org



The Fair Housing Act and Violence Against Women Act both extend housing protections to victims of domestic violence. Nuisance laws undermine those protections by subjecting victims to eviction or fines for contacting law enforcement. Concerns have been raised nationally regarding the application and use of these laws on already marginalized communities due to the selective enforcement of the nuisance laws.

For the above stated reasons, the **Maryland Network Against Domestic Violence** urges a **favorable report on SB125.**

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CLS Support for SB0125.pdf

Uploaded by: Lisa Sarro

Position: FAV



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SB0125 Residential Real Property - Local Limits on Summoning Law Enforcement or Emergency Services Judicial Proceedings Committee Hearing, January 23, 2025

Position: FAVORABLE

To the Honorable Members of the Judicial Proceedings Committee:

Community Legal Services submits this testimony in support of SB0125. This legislation ensures that the legislature's intent in passing legislation to prohibit local jurisdictions from limiting or penalizing residents for making potentially lifesaving calls for assistance will be fully implemented.

Community Legal Services (CLS) is a nonprofit organization that provides free legal services in a broad range of substantive areas to individuals and families who meet certain income-eligibility restrictions. Our organization is committed to the promotion of family and community stability and success through provision of quality legal representation for those who would not otherwise have equitable access to access to justice and due process. We represent many clients who are elderly, have disabilities and who are domestic violence survivors. Laws that penalize or restrict Maryland residents from seeking help from emergency services and law enforcement agencies when they need help potentially risk the lives and wellbeing of clients we serve and, indeed, put all Maryland residents at risk.

The General Assembly wisely passed legislation in a prior session that prohibits local jurisdictions from enacting legislation that would chill efforts of Maryland residents to seek help for emergencies or to stop or prevent domestic violence either by limiting the number of calls that a resident can make or by imposing fines or other penalties for making such calls. (Real Property Code Section 14-126.) This bill simply ensures that the intended result of the legislature's prior action is fully realized, even in instances where local legislation limiting such calls had been enacted prior to the effective date of RP Section 14-126. By adding two words to RP Section 14-126 - changing "may not enact a local law or ordinance..." to "may not enact **or enforce** a local law or ordinance..." this bill simply clarifies that, in instances where a local jurisdiction currently has a local law on the books that would violate RP Section 14-126, the local jurisdiction may not *enforce* that local law.

We urge this committee to ensure that the General Assembly's efforts to prevent the restriction of Maryland residents' ability to seek help when needed are fully implemented by issuing a FAVORABLE report on this modest amendment to existing law.

Please feel free to reach out to Jessica Quincosa, Executive Director, and Lisa Sarro, Director of Litigation and Advocacy, with any questions at quincosa@clspgc.org and sarro@clspgc.org, respectively.

SB125.DDCoalition.FAV.pdf

Uploaded by: Rachel London

Position: FAV



MARYLAND DEVELOPMENTAL DISABILITIES COALITION

Dedicated to the rights and quality of life for people with developmental disabilities in Maryland



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Senate Judicial Proceedings Committee

January 23, 2025

SB 125: Residential Real Property – Local Limits on Summoning Law Enforcement of Emergency Services Position: Support

The Maryland Developmental Disabilities Coalition (DD Coalition) is comprised of five statewide organizations that are committed to improving the opportunities and outcomes for people with intellectual and developmental disabilities (IDD) and their families. The DD Coalition supports SB 125.

WHAT does this legislation do?

- Prohibits a local jurisdiction from enforcing a law or ordinance that limits a person's ability to call law enforcement or emergency services.

WHY is this legislation important?

- **It strengthens existing law.** In 2023, legislation passed prohibiting landlords from using a lease with provisions limiting a tenant's ability to call law enforcement or emergency services. It prohibited local jurisdictions from passing local laws and ordinances, known as nuisance laws, that impose a penalty or limit the number of calls. **That legislation did not prohibit local jurisdictions from enforcing nuisance laws.**
- **It protects people with disabilities.** People with disabilities are disproportionately impacted under nuisance laws. One study found that at least 25% of nuisance enforcement actions were the result of a disability.¹
- **It further protects people in crisis and people with urgent health care needs.** For people experiencing a behavioral or medical crisis who may have to call law enforcement or emergency services, SB 125 makes sure the county or municipality does not enforce an existing nuisance law.

It is critical that people with disabilities have full access to police and emergency services where they live. This bill closes a gap in existing law to ensure people receive the emergency services they need. For these reasons, the DD Coalition supports SB125.

Contact: Rachel London, Executive Director, Maryland Developmental Disabilities Council, rlondon@md-council.org

¹ <https://harvardcrcl.org/wp-content/uploads/sites/10/2019/07/54.2-Jarwala-Singh.pdf>

DG Written Testimony_SB0125.docx.pdf

Uploaded by: Senator Gile

Position: FAV

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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB0125
Real Property - Limitations on Summoning Law Enforcement or Emergency Services -
Prohibition

This bill would close an accidental loophole in legislation we previously enacted to protect residents from eviction.

In the 2023 legislative session, the General Assembly passed SB0450 to ensure that Marylanders can summon police or medical services during an emergency. That legislation sought to prohibit local governments from using local ‘nuisance laws’ to penalize landlords and tenants solely for the act of summoning police or emergency assistance.

A handful of local jurisdictions have laws on the books to penalize property owners for repeated calls for police, fire, or EMS service to their property. These nuisance laws subject the landlord or property owner to a fine and possible loss of their rental license if the police are called out to a property more than a certain number of times within a specified timeframe.

The intent of the 2023 bill was to prohibit local governments from enacting and enforcing such a law. I testified to that end before this committee, as did other witnesses. However, based on the way the 2023 law was ultimately written, local governments are prohibited only from *enacting*, but not from *enforcing*, such nuisance laws.

This issue came to light when Carroll County enacted a new local nuisance law shortly before the state law was set to take effect. In response, I sought guidance from the Maryland Attorney General. The advice letter I received stated: “In my view, the legislative history behind Ch. 769 reveals a clear intent by the General Assembly to preempt both local enactment and *enforcement* of local laws and ordinances that establish a threshold of requests or penalties for summoning law enforcement or emergency services to a residential property, rather than exclusively prohibiting future enactment of such local laws but otherwise allowing local jurisdictions to enforce any such ordinances enacted prior to the effective date of the Act.”¹

This bill seeks to clarify the intent of the General Assembly and the law we passed in 2023 to ensure that every Marylander has access to emergency services without fear of retaliation by their landlord or local government.

Per the Fiscal Note, SB0125 is not anticipated to materially affect State operations or finances.

Background on Local Nuisance Laws

¹ Advice letter from Jeremy M. McCoy, Assistant Attorney General, September 27, 2023.

In Maryland, four municipalities and one county are enforcing nuisance laws that are not in compliance with the 2023 state prohibition.² Some of these local laws allow for fines to be assessed against a property owner for as few as two calls for emergency service. Notably, minor infractions such as littering, alcohol violations, and noise violations are sufficient grounds under some local laws to initiate penalties, which can result in the eviction of the tenant.

No one wants to live next to neighbors involved in criminal activity, but local nuisance laws often create unintended consequences. These laws can deter residents from calling the police during emergencies out of fear of retaliation from their landlord. In many cases, landlords choose to evict tenants after just one call for police assistance, even when the tenant is entirely innocent and the victim of a crime. Even when nuisance ordinances do not explicitly mandate eviction, landlords frequently take this step to safeguard their business and income, perpetuating a cycle of vulnerability and injustice for tenants.³

² Carroll County, City of Frederick, Hagerstown, Manchester, and Smithsburg are not in compliance with state law. Note: Harford County does not enforce its local law, according to its State's Attorney's office. The following jurisdictions also have local nuisance laws, but they are in compliance with the 2023 state law: Anne Arundel, Baltimore City, Baltimore County, Prince George's County, Brunswick, College Park, Hampstead, Union Bridge, and Westminster.

³ "Silencing Women's Voices: Nuisance Property Laws and Battered Women." G. Arnold & M. Slusser, Journal of the American Bar Foundation (2015).

SB 125_realtors_fav.pdf

Uploaded by: William Castelli

Position: FAV



Senate Bill 125 – Residential Real Property – Local Limits on Summoning Law Enforcement or Emergency Services

Position: Favorable

Maryland REALTORS® support SB 125 which clarifies legislation passed by the General Assembly in 2023.

That legislation restricted the ability of local governments to penalize tenants and landlords from using local emergency services. Some local governments capped the number of service calls to emergency responders. If a property exceeded the cap, the owner could be fined hundreds of dollars.

While the intent of the local laws was to reduce nuisance calls to emergency providers, it also penalized owners and tenants making legitimate emergency calls due to a dangerous situation or chronic health conditions. To resolve this, the legislation prohibited local governments from enacting threshold requirements in their laws and prohibiting residential leases from including language that limited or penalized tenants from calling emergency services. This legislation prevented local governments from enacting future restrictions, but it did not eliminate existing threshold laws.

SB 125 addresses this by making clear that local governments may not ENFORCE existing ordinances that limit emergency service calls.

For these reasons, the Maryland REALTORS® encourage a favorable report.

**For more information contact lisa.may@mdrealtor.org or
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