

SB442 - MAP TESTIMONY.pdf

Uploaded by: Abby Snyder, Co-Chair

Position: FAV



Member Agencies:

211 Maryland

Baltimore Jewish Council

Behavioral Health System Baltimore

CASH Campaign of Maryland

Energy Advocates

Episcopal Diocese of Maryland

Family League of Baltimore

Fuel Fund of Maryland

Jewish Community Relations Council
of Greater Washington

Job Opportunities Task Force

Laurel Advocacy & Referral Services,
Inc.

League of Women Voters of Maryland

Loyola University Maryland

Maryland Center on Economic Policy

Maryland Community Action
Partnership

Maryland Family Network

Maryland Food Bank

Maryland Hunger Solutions

Paul's Place

St. Vincent de Paul of Baltimore

Welfare Advocates

Marylanders Against Poverty

Abby Snyder, Co-Chair
P: (240) 593-6121

E: ASnyder@baltjc.org

Anne Wallerstedt, Co-Chair
P: (410) 991-7285

E: AWallerstedt@mdfoodbank.org

TESTIMONY IN SUPPORT OF SB442

Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

Judicial Proceedings Committee

February 6, 2025

Marylanders Against Poverty (MAP) supports SB442, which is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. The Tenant Possessions Recovery Act (SB 442) would mitigate the trauma caused by losing a roof over your head, personal possessions, and the need for a place to live by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

SB 442 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

SB 442 also benefits landlords in that they will no longer be required to pay for and bring movers on sight for the day of the eviction in order to move the tenants belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

MAP appreciates your consideration and requests the committee provide a favorable report on SB442.

Marylanders Against Poverty (MAP) is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.

PJC SB 442 FAV.pdf

Uploaded by: Albert Turner

Position: FAV



Albert Turner, Esq.
Public Justice Center
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
859.907.1022
turnera@publicjustice.org

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 Judiciary Proceedings Committee on February 6, 2025

Position: SUPPORT (FAV)

The Public Justice Center (PJC) is a nonprofit public interest law firm that stands with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing and their rights to fair and equal treatment by Maryland's landlord-tenant laws, courts, and agencies. The PJC actively works towards instigating systemic changes to establish a society founded on justice. PJC seeks the Committee's **Favorable report on SB 442** as it is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. In MD, [when tenants like Sharnae Hunt are evicted from their homes](#), not only do they lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to adequately find another home due to the trauma and fiscal loss. Financial records & children's keepsakes are all moved to the curb or locked in the property. The Tenant Possessions Recovery Act (SB 442) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

This bill would also protect local jurisdictions from future legal liability eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). The City's law – and similar local laws in Baltimore County, Prince George's County and others – declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through SB 442, localities will no longer be at risk of litigation and financial loss.

SB 442 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date **and** the opportunity to reclaim their personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

SB 442 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, **SB 442** benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on sight for the day of the eviction in order to move the tenants belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

Public Justice Center is a member of the Renters United Maryland coalition. If you have any questions, please contact Albert Turner, Esq., turnera@publicjustice.org (410) 625-9409 Ext. 250.

SB0442 Testimony in Support 2 4 25 PDF.pdf

Uploaded by: Anthony Rodriguez

Position: FAV

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 is it 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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SB0442_Tenant_Possessions_Recovery_Act_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0442

Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

Bill Sponsor: Senator Sydnor

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in strong support of SB0442 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.

The process of being evicted from a residence is fraught with confusion and a distinct lack of agency for the person being evicted. This bill attempts to put some additional structure around the process and also ensure that the person being evicted has information regarding how to retrieve their possessions.

The landlord must store the personal effects of the person being evicted for 10 days and cannot charge a fee for the storage. A notice to the person being evicted regarding the 10-day period is required to be placed on the door of the property. If the sheriff finds that notice is not provided, the eviction is paused until the court provides additional instructions. If the landlord gets rid of the property before the 10-day period is up, the person evicted has the right to damages.

Our members feel that this process will help provide some much needed structure to the process and ensure that the person being evicted only loses their residence – not all their possessions as well.

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

Sen Sydnor Fav testimony SB442.pdf

Uploaded by: Charles E. Sydnor III

Position: FAV

CHARLES E. SYDNOR III, ESQ.
Legislative District 44
Baltimore County

DEPUTY MAJORITY WHIP

Judicial Proceedings Committee

Executive Nominations Committee

Joint Committees

Administrative, Executive, and
Legislative Review

Children, Youth, and Families

Senate Chair, Legislative Ethics



James Senate Office Building
11 Bladen Street, Room 216
Annapolis, Maryland 21401
410-841-3612
800-492-7122 Ext. 3612
Charles.Sydnor@senate.state.md.us

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony for Senate Bill 442
Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of
Lease, and Tenant Holding Over (Tenant Possession Recovery Act)
Before the Judicial Proceedings Committee
February 6, 2025

Good afternoon, Chair Smith, and members of the Judicial Proceedings Committee,

Last June, the United States Fourth Circuit Court of Appeals ruled in *Todman v. Mayor and City Council of Baltimore* that a couple's 14th Amendment due process rights were violated because Baltimore City law declares a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period.¹ Holding that the responsibility for ensuring constitutional requirements in the execution of evictions falls to the respective municipalities, the Court affirmed the money judgment for the couple for over \$180,000 and found Baltimore City's abandonment statute and eviction practices unconstitutional.

While *Todman* only addresses the constitutionality of eviction practices in Baltimore City, the Court's holding implicates every local jurisdiction in Maryland – particularly those like Baltimore County and Prince George's County that also declare a tenant's possessions "abandoned" upon eviction without notice and a reclamation period.² Thus, if the 4th Circuit found that the City did not pass constitutional muster, other jurisdictions do not either. Ordinances, policies and practices vary from locality to locality, but under *Todman*, the procedural due process rights of Maryland tenants are violated every time an eviction that results in a loss of tenants' personal property takes place.

Maryland should have a uniform process for eviction procedures as provided in this bill to avoid local liability and provide a baseline measure of dignity for renters.

Todman aside, SB 442 is important on a very human level, which is that we want to ensure that people do not lose valuable personal possessions in evictions -- including medicine, social security cards, birth certificates, pictures, and family mementos at one of the lowest points of their

¹<https://www.ca4.uscourts.gov/opinions/231201.P.pdf>

²[Baltimore County Code § 35-3-103](#)

life. So often tenants, believing they can vacate or pay and stay before the eviction occurs, are left flatfooted when a Sheriff arrives to evict them. In those moments, the tenant—if they are even present—must vacate the premises immediately and forgo all their possessions still remaining on the property. In some jurisdictions, the possessions are placed on the street where they are often stolen or ruined. In others, the possessions are locked inside the property, and tenants commit criminal trespass if they try to get them back.

Last summer my office received a call that a Western Baltimore County resident who was disabled in a wheelchair. She had been evicted with all her belonging dumped on the curb. She had no ability to move her belongings and no place to go. Multiple folks kept walking by, some explicitly asking whether the items were “free?” Some people even rummaged through her belongings. My legislative aide, along with many others, crowdsourced funds to put her up in a hotel and rented a storage space. For the next several hours they raced against the fleeting daylight and triaged her belongings, asking her what was worth saving and what had to inevitably be left behind. They loaded up belongings in their cars and made several trips to the rented storage space. She lost the majority of her belongings, and the emotional toll was visible. Her friend stayed the night on the sidewalk to guard the remaining belongings from being stolen, so more could be salvaged the next day.

Relying on best practices from jurisdictions around the country, SB 442 resolves the aforementioned issue by requiring landlords to provide notice to tenants at least 14 days before the scheduled date of eviction. On the date of eviction, the sheriff escorts any occupant off the property, and the landlord changes the locks. Upon changing of the locks, a 10-day reclamation period begins, where the landlord must provide the tenant reasonable access to their belongings for 10 days – either onsite or in another secure place like a storage locker – to allow the tenant to reclaim those possessions.

SB 442 offers a win-win-win situation for the tenant, landlord, and community. It makes the eviction process more predictable. The tenant knows at every step of the eviction process what is happening and will allow them to keep their belongings such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms. It is more predictable for the landlord, because they know when the tenants’ property is officially abandoned. It also saves the landlord from having to pay employees to move all the tenants' possessions to the curb on the scheduled date of eviction. And it’s a win for the community. No more will our streets and community be filled with clutter and trash that block sidewalks and rights-of-way, creating public safety risks and public eyesores.

Right now, Maryland is far behind other states when it comes to tenants' rights over their own belongings. Locally, the District of Columbia³, New Jersey⁴, West Virginia⁵, Pennsylvania⁶, Delaware⁷ and Virginia⁸ all have notice and reclamation periods to allow tenants to access their possessions after the eviction. Twenty-eight states and D.C. require notice of the scheduled eviction date, provide for the tenant's right to reclaim belongings, and give the landlord some duty to store the tenant's property. SB 442 brings Maryland in line with other states.

This bill adds predictability around the eviction process, benefits tenants, landlords, and the community, and addresses the 4th Circuit's Todman decision to ensure our localities are not open to liability for constitutional violations. For these reasons, I respectfully urge a favorable report.

³ Code of the District of Columbia § 42-3505.01a.

⁴ [NJSA § 2A:18-72 to 2A:18-80](#)

⁵ West Virginia Code § 37-6-6. Desertion of leased property; entry; recovery of rent, disposition of abandoned personal property; notice.

⁶ [2014 Act 167 - PA General Assembly](#)

⁷ Del. Code tit. 25 § 5715

⁸ Code of Virginia § 55.1-1416

2025-02-04 SB 442 TPRA Favorable.pdf

Uploaded by: Chelsea Ortega

Position: FAV

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,
Feb. 6, 2025**

Position: FAVORABLE

Santoni, Vocci & Ortega, LLC is a private tenants' rights firm, representing tenants living in uninhabitable conditions, have been the subject of an illegal eviction, or debt collection violations. We have represented many tenants who have been illegally evicted from their homes, resulting in the loss of all of their possessions, including irreplaceable items, like loved ones' ashes, life-sustaining medications, important paperwork, and photographs.

The National Association of Consumer Advocates is a nonprofit corporation whose members are private and public sector attorneys, legal services attorneys, law professors, and law students whose primary focus involves the protection and representation of consumers. NACA's mission is to promote justice for all consumers by maintaining a forum for information-sharing among consumer advocates across the country and by serving as a voice for its members and consumers in the ongoing struggle to curb unfair or abusive business practices that affect consumers. In pursuit of this mission, NACA advocates for transparency and fairness for tenants.

Santoni, Vocci & Ortega, LLC believes Senate Bill 442 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Currently, Maryland car owners are given more protection when their vehicles are subject to repossession than tenants have when facing eviction. Maryland law requires that creditors provide car owners with multiple notices before a vehicle is sold, including the date, time and location of a sale. The creditor also must provide the location of the vehicle and keep the vehicle for at least 15 days so the car owner can obtain their possessions. It is illogical that people have more right to their possessions stored in their vehicle than their homes.

This bill would also protect local jurisdictions from future legal liability eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F. 4th 479 (4th Cir. 2024). The City's law – and similar local laws in Baltimore County, Prince George's County and others – declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through SB 442, localities will no longer be at risk of litigation and financial loss.

An eviction is already devastating for families. When tenants, who often have children, lose an entire household of items unexpectedly, it is an event from which they rarely recover. Many are left with only the clothing they were wearing on the day of their eviction. **Even when belongings are put outside, often the items are damaged, open to the elements, and ripe for theft.** One tenant we represented alleged in his lawsuit that he had a safe broken into and his money stolen during an eviction. Another client alleged that her electronics were destroyed when they were thrown in a trash bag with liquids by the workers performing the eviction:



SB 442 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that tenants be given notice of their eviction date **and** the opportunity to reclaim their personal possessions after their eviction.

Twenty-eight states and D.C. require that tenants be given notice of their eviction date and a limited window to reclaim their personal possessions.

SB 442 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, SB 442 benefits landlords in that landlords will no longer be required to pay for and bring four to ten movers on sight for the day of the eviction in order to move the tenants' belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

Santoni, Vocci & Ortega, LLC and Chelsea Ortega, as Maryland State Chair of NACA, urge a favorable report on SB 442.

SB442_DHCD_SUPPORT.pdf

Uploaded by: Chuck Cook

Position: FAV



WES MOORE
Governor
ARUNA MILLER
Lt. Governor
JACOB R. DAY
Secretary
JULIA GLANZ
Deputy Secretary

DATE: February 6, 2025

BILL NO.: Senate Bill 442

TITLE: Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

COMMITTEE: Senate Judicial Proceedings Committee

Letter of Support

Description of Bill:

Senate Bill 442 would require landlords to provide notice to a tenant fourteen days before a scheduled date of repossession, after a court has issued a warrant of restitution to the landlord. The legislation would also grant tenants ten days following their eviction to recover personal property from the premises or another secure location chosen by the landlord. During this period, the landlord is to hold and make available the former tenants' property without charge.

Background and Analysis:

Under current Maryland law, a landlord who is issued a warrant of restitution to evict a tenant does not need to provide any notice of the eviction date itself to the tenant. While tenants would have received notice for the lease violations that precipitated their eviction proceedings, the specific date of their eviction is often a surprise to them. As a result, Marylanders can have this warrant served while they are at work, taking care of family, or any other valid purpose. This legislation allows tenants the ability to use the fourteen-day period to either make plans to leave the property or even make use of their right of redemption, without them being caught by surprise by the arrival of a Sheriff.

Further, landlords are currently not required to allow evicted tenants to retrieve their personal property, after the eviction date. With that, Maryland renters can lose possessions like prescribed medications, personal documents, and anything else left in the property to the landlord. SB 442 would instead require landlords to hold the property for a limited time in a secure location, allowing the tenant to retrieve their property. While the benefit to an evicted tenant is apparent, communities at-large should benefit from the lack of personal belongings placed on sidewalks and streets in the aftermath of an eviction.

In summary, SB 442 would keep the eviction process focused on its legal purpose: putting the landlords property back into the hands of the landlord, and letting the tenant walk away with their personal belongings and dignity.

DHCD Position

The Maryland Department of Housing and Community Development respectfully requests a **favorable** report on SB 442.



SB 442 - DRM TPRA Testimony - FAV.pdf

Uploaded by: E.V. Yost

Position: FAV

**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,

Feb. 6, 2025

Position: FAVORABLE

Disability Rights Maryland (DRM) is the federally designated Protection & Advocacy agency¹ in Maryland mandated to advance the civil rights of people with disabilities. One of DRM's goals is to end the unnecessary segregation and institutionalization of Marylanders with disabilities. To achieve this goal, DRM's Housing Unit works to expand opportunities for Marylanders with disabilities to be part of their communities and to live in affordable and accessible housing.

DRM believes Senate Bill 442 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed. While evictions are devastating for all families, losing access to necessary medications, medical equipment, social security information, service animals, or emotional support animals poses an additional risk to the health and safety of renters with disabilities. As one example, DRM recently received a call from a tenant requesting assistance after his landlord evicted him without notice, seizing his service animal. SB 442's reclamation period would preserve access to these critical needs for renters with disabilities facing eviction and require accountability from bad-actor landlords who seek to benefit from the eviction process.

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. In MD,

¹ For more information on Protection & Advocacy agencies, see NATIONAL DISABILITY RIGHTS NETWORK, <https://www.ndrn.org/> (last visited June 18, 2021).

when tenants like Sharnae Hunt are evicted from their homes,² not only do they lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to adequately find another home due to the trauma and fiscal loss. Financial records & children's keepsakes are all moved to the curb or locked in the property. The Tenant Possessions Recovery Act (SB 442) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

This bill would also protect local jurisdictions from future legal liability for eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). The City's law – and similar local laws in Baltimore County, Prince George's County and others – declare a tenant's belongings “abandoned” upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through SB 442, localities will no longer be at risk of litigation and financial loss.

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² THE BALTIMORE BANNER, A Glen Burnie woman was evicted because of a 'miscommunication.' Experts say the eviction system creates room for error., (Nov. 23, 2024, 6:40 pm EST) available at: <https://www.thebaltimorebanner.com/community/housing/a-glen-burnie-woman-was-evicted-because-of-a-miscommunication-experts-say-the-eviction-system-creates-room-for-error-OOP43UIC5BAOBGU5NUWOKHBW2E/>.



Empowering People to Lead Systemic Change

1500 Union Ave., Suite 2000, Baltimore, MD 21211

Phone: 410-727-6352 | Fax: 410-727-6389

DisabilityRightsMD.org

Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard whatever items are remaining in an appropriate manner.

Finally, SB 442 benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on sight for the day of the eviction in order to move the tenant's belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

Disability Rights Maryland is a member of the Renters United Maryland coalition and asks that the Committee issue a report of FAVORABLE on SB 442. If you have any questions, please contact: E.V. Yost, evy@DisabilityRightsMD.org.

BRHP Support for SB 442 Tenant Possessions Recover

Uploaded by: Emily Hovermale

Position: FAV



100 North Charles Street, 2nd floor
Baltimore, Maryland 21201

410-223-2222
www.brhp.org

February 6, 2025

Judicial Proceedings Committee
Maryland State Senate
Miller Senate Office Building
Annapolis, Maryland 21401

RE: Baltimore Regional Housing Partnership: Support for SB 442 – Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

Dear Chair Smith, Vice Chair Waldstreicher and Honorable Members of the Judicial Proceedings Committee:

On behalf of the Baltimore Regional Housing Partnership (BRHP), I'm writing to express our support for SB 442, a critical measure that ensures tenants receive notice of their impending eviction date and a limited period to reclaim their personal possessions if an eviction is executed.

BRHP is a non-profit organization that expands housing choices for low-income families who have historically been excluded from housing in well-resourced neighborhoods by helping them access and transition successfully to safe, healthy, and economically vibrant communities. As the Regional Administrator for the Baltimore Housing Mobility Program, BRHP currently provides over 4,300 low-income families rental assistance in the form of Housing Choice Vouchers coupled with counseling support for families as they move from areas of concentrated poverty to areas of opportunity in Baltimore City and the five surrounding counties.

SB 442 is a necessary and reasonable bill that brings Maryland in line with the majority of other states by establishing two fundamental tenant protections:

1. **Advance Notice of Eviction.** Tenants must receive notice at least 14 days before their scheduled eviction date. This notice is crucial, allowing tenants to exercise their statutory right of redemption ("pay to stay") or make necessary arrangements to vacate the property with their belongings intact.
2. **Post-Eviction Reclamation Period.** If an eviction occurs, tenants must have at least 10 days to reclaim their personal possessions. This provision ensures that evictions do not

result in the permanent loss or destruction of essential items such as medications, legal documents, work tools, school supplies, and irreplaceable sentimental belongings.

The intent of an eviction is to return possession of the property to the landlord, not to strip tenants of their personal belongings. Yet, under current Maryland law, tenants can lose everything they own when their belongings are immediately discarded during an eviction. Families aren't just forced to replace furniture and household necessities – parents must struggle to obtain new birth certificates for their children and other important documentation lost or destroyed, individuals lose lifesaving medications that are expensive or impossible to replace quickly, and irreplaceable keepsakes are permanently gone. No one benefits from the cruel consequences of these losses, which further destabilize families already facing housing insecurity.

All neighboring jurisdictions – Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia – require landlords to provide tenants with notice of their eviction date and an opportunity to reclaim their personal possessions after an eviction. SB 442 is a sensible step toward aligning Maryland with these established best practices.

Eviction is not just a loss of housing—it is a traumatic event that disrupts families' lives, education, and emotional well-being. By ensuring tenants have advance notice and a reclamation period, SB 442 offers a reasonable and dignified approach to eviction procedures. Renters deserve reliable notice of their eviction date and an opportunity to reclaim their possessions. For these reasons, I respectfully urge the committee to issue a favorable report on SB 442.

Adria Crutchfield
Executive Director

FAV HB422 Testimony.pdf

Uploaded by: Gannon Sprinkle

Position: FAV

Judiciary Proceedings Committee
Senate Office Building, Room 2
Annapolis, Maryland 21401

Chairman Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

My name is Gannon Sprinkle, co-founder and steering committee member for the College Park Tenants Union, we represent thousands of tenants in the greater College Park area and fight for affordable and high quality housing as a human right. We believe there is a clear disconnect between the rent prices that students pay and the responsiveness and empathy from the individuals profiting off our rent.

This testimony is submitted to represent staunch support of Renters United Maryland, Senator Sydnor's SB442, and any other tenant-first legislative efforts this body may consider. The Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act) is a key provision in current landlord-tenant affairs. In College Park specifically, landlords often void requirements for notice correspondence for a number of issues. Permission-to-entry notices often do not meet legislative requirements, come late, or not at all. Time and time again, tenants are put-out and not considered, especially by non-physical corporate landlords in the College Park area.

Additionally, stipulations requiring certain notice for warrants of restitution, breach of lease, or tenant hold-over are essential in communication and transparency of policy decisions. We must hold landlords across the state accountable for putting people out on the street. If an eviction is coming, at the very least communication and transparency absolutely needs to be required. The procedures for execution of a warrant for repossession and the redistribution of certain personal property are written equitably and deserve a favorable vote from your committee.

I hope you hear our concerns. Too long have landlords been unencumbered, we must hold those that restrict housing accountable. We must take every action to ensure housing as a human right. Thank you for considering this legislation. It is for these reasons that we strongly urge a favorable report on SB442.

Thank you,

Gannon Sprinkle
College Park Tenants Union

CASA_SUPP_SB442 FINAL.pdf

Uploaded by: Jake Kmiech

Position: FAV



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.

SB 442_MD Center on Economic Policy_FAV.pdf

Uploaded by: Kali Schumitz

Position: FAV

FEBRUARY 6, 2026

Tenants Should Not Lose All of Their Belongings During an Eviction

Position Statement Supporting Senate Bill 442

Given before the Judicial Proceedings Committee

Being forced to leave your home causes significant hardship and challenges for the tens of thousands of Marylanders who are evicted every year. This is often exacerbated by families losing nearly all of their belongings in the eviction process. The Tenant Possessions Recovery Act (SB 442) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed. In Maryland, [when tenants like Sharnae Hunt are evicted from their homes](#), not only do they lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to quickly find another adequate home due to the trauma and fiscal loss.¹ Financial records & children's keepsakes are all moved to the curb or locked in the property. **The Maryland Center on Economic Policy supports Senate Bill 442 because it is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.**

SB 442 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Twenty-eight states and D.C., including New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction.

SB 442 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown to the curb after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, SB 442 benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on site for the day of the eviction in order to move the tenant's belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window. For these reasons, **The Maryland Center on Economic Policy urges the committee to adopt a favorable report on SB 442.**

Equity Impact Analysis: Senate Bill 442

Bill Summary

Senate Bill 442 ensures that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Background

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. In Maryland, tenants who experience an eviction not only lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to adequately find another home due to the trauma and fiscal loss. Important items like financial records and children's keepsakes are all moved to the curb or locked in the property. The Tenant Possessions Recovery Act would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

Equity Implications

Homelessness in Maryland is a pressing equity issue that disproportionately affects marginalized communities, including low-income families, people of color, individuals with disabilities, and those with histories of incarceration. Systemic barriers such as the lack of affordable housing, income inequality, and limited access to supportive services exacerbate homelessness, particularly in urban areas like Baltimore. If passed, because people of color are more likely to be evicted, especially Black women, they stand to benefit the most from this law if passed.

Impact

Senate Bill 442 will likely **improve the racial, health and economic equity** in Maryland.

ⁱ A Glen Burnie Woman Was Evicted Because of a Miscommunication. Experts say the eviction system creates room for error (2022)
<https://www.thebaltimorebanner.com/community/housing/a-glen-burnie-woman-was-evicted-because-of-a-miscommunication-experts-say-the-eviction-system-creates-room-for-error-QOP43UIC5BAOBGU5NUWQKHBW2E/>

SB 442-HB 767 - Tenant Property Rights Act Written

Uploaded by: Katherine Davis

Position: FAV



**SB 442/HB 767 – Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and
Tenant Holding Over
Hearing before the House Environment and Transportation Committee
February 6, 2025
Position: FAVORABLE**

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide thought leader and clearinghouse for pro bono civil legal services in Maryland. As the designated pro bono arm of the MSBA, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar and offers direct legal services to over 6,200 clients annually.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the **Tenant Volunteer Lawyer of the Day (TVLD) Program** in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented for their proceedings. Since then, this continually expanding Program has allowed PBRC staff and volunteer attorneys to represent thousands of low-income tenants in both Baltimore City and Baltimore County in multiple types of legal actions that could result in eviction.

While our goal is always to avoid eviction where possible, we recognize that some of our clients end up in that situation. For those who do, **SB 442/HB 767 represents a critical measure to help ensure that their eviction, while a transfer of the real property back to the landlord, does not also result in the unconstitutional loss or destruction of all the tenants’ personal belongings.** On June 10, 2024, the United States Court of Appeals for the Fourth Circuit found Baltimore City’s eviction law unconstitutional due to lack of adequate notice and reclamation period to tenants. Todman v. The Mayor & City Council of Baltimore, 104 F.4th 479 (4th Cir. 2024). Baltimore City’s law, like similar local laws in Baltimore County, Prince George’s County and others, declares a tenant’s belongings “abandoned” upon eviction. However, it actually provides more notice to tenants than many other local laws in Maryland. **Thus all jurisdictions in Maryland are potentially in danger of legal liability based upon their eviction practices.** By ensuring that tenants get notice 14 days in advance of their impending eviction dates and the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs, SB 442/HB 767 will bring uniformity to all districts and may protect them from liability. This is a sensible bill that brings Maryland eviction laws in line with the rest of the country.¹

Without reliable notice of the eviction date or a reclamation period after the eviction occurs to mitigate the financial and personal loss that evictions cause, Maryland tenants suffer unnecessarily from their evictions. Renters in Baltimore County cannot adequately prepare for an eviction because the local law does not mandate any notice of an eviction date. PBRC’s Eviction Prevention Counselor (EPC) works with Baltimore County tenants each month who are facing eviction, many of whom do not know their eviction date. They are legitimately worried that they will arrive home from work to find their locks changed and their belongings squeezed into trash bags and put outside their apartment. One client of hers found out about his eviction the day before it was scheduled only because she assisted him in contacting the constable assigned to his zip code. He had been having trouble communicating with his landlord and ultimately was left with insufficient time to acquire funds from available resources or plan to move out prior to the eviction date.

While renters in Baltimore City receive notice of eviction dates due to a local ordinance requiring the landlord to provide it, those tenants risk having all of their personal belongings locked inside their home, and are then at the mercy of the landlord to retrieve them. The landlord is currently under no legal obligation to return the items. PBRC recently worked with a tenant whose landlord had sent a maintenance technician to change the locks before the tenant could retrieve

his personal belongings. While we attempted to negotiate with the landlord, he had no obligation to allow the tenant continued access to his property and the tenant had to leave with what he could gather in a short time.

SB 442/HB 767 is not only a benefit to tenants. It also benefits both the landlords and the community. Many jurisdictions require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction and dispose of the tenants belonging, which can be costly to the landlord. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire these workers to be present at each eviction. Instead, they will now have more flexibility after the end of the 10-day reclamation period to dispose of any remaining belongings. The community will benefit as well because the tenants' personal belongings will no longer be thrown into the street after an eviction. Those left after the reclamation period will be discarded in a proper and clean fashion.

The point of an eviction is the transfer of real property back into the hands of the owner, not the destruction or loss of the personal property of the tenants. No one benefits when a family has to look for donations to replace their destroyed furniture because they didn't have time to find a storage unit and it was left in the rain, when a mother has to spend hours at state agencies to replace her children's lost birth certificates, when an elderly man has to replace months' worth of insulin, or when a community has to look at an entire family's belongings piled on the street. The current eviction law allows for unconstitutional eviction practices that harm tenants and neighborhoods and put localities at risk of liability. **SB 442/HB 767 provides commonsense solutions that will benefit everyone.**

PBRC urges a FAVORABLE report on SB 442/HB 767.

Please contact Katie Davis, Director of PBRC's Courtroom Advocacy Project, with any questions.
kdavis@probonomd.org • 443-703-3049

¹ Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

SB 442_Consumer Protection Division_Favorable_FINA

Uploaded by: Kira Wilpone-Welborn

Position: FAV

CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement



**STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL**

ANTHONY G. BROWN
Attorney General

WILLIAM D. GRUHN
Division Chief

PETER V. BERNIS
General Counsel

CHRISTIAN E. BARRERA
Chief Operating Officer

KIRA WILPONE-WELBORN
Assistant Attorney General

February 4, 2025

To: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

From: Kira Wilpone-Welborn, Assistant Attorney General
Consumer Protection Division

Re: Senate Bill 442 – Real Property - Landlord and Tenant - Procedures for Failure to Pay
Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)
(SUPPORT)

The Consumer Protection Division of the Office of the Attorney General (the “Division”) supports Senate Bill 442 sponsored by Senator Charles E. Sydnor, III. Eviction, by its very nature, is chaotic and disruptive to the tenant, the landlord, and the community. Senate Bill 442 attempts to reduce one area of disruption by protecting the personal belongings of tenants facing eviction by: (1) providing advance written notice of a scheduled eviction, and (2) allowing the tenant time after possession is restored to the landlord to collect personal property. Importantly, Senate Bill 442 complies with the recent 4th Circuit decision on *Todman v. The Mayor and City Council of Baltimore*.

Senate Bill 442 seeks to prepare tenants for an impending eviction after the Court issues a warrant of restitution by requiring the landlord or its agent to provide the tenant with at least 14 days’ written notice of the scheduled eviction. To ensure the tenant receives the notice, the notice must be mailed and posted on the tenant’s door; and, to ensure the landlord can document the notice, the landlord must have a certificate of mailing and a date-stamped photograph of the posted notice. Providing tenants with at least 14 days’ notice of a scheduled eviction provides them with ample time to plan and make alternative arrangements and reduces the disruption of the eviction. For example, with at least 14 days’ notice, tenants are provided with the material piece of information they need to make tough decisions about what belongings to pack and store, and, in

the case of evictions due to a tenant's failure to pay rent, what bill payments can be rearranged to secure the funds necessary to redeem the property and avoid an eviction altogether.

Senate Bill 442 requires landlords to provide tenants with 10 days to reclaim property that remained in or on the premises at the time of the eviction. Presently, in many Maryland communities, evicted tenants' belongings are hastily removed from the premises and placed on the curb. Often included among the removed belongings are tenants' valuables, such as medications, birth certificates, and family heirlooms, which often become lost or damaged. Providing tenants with a mere 10 days to reclaim remaining property after an eviction can prevent invaluable personal belongings from being lost or damaged and save tenants from the additional time and expense needed to obtain a duplicate of important documents. Additionally, Senate Bill 442's reclamation period reduces disruptions to the community by keeping personal belongings from being placed on the curb or other public property after an eviction.

As such, the Division requests that the Judicial Proceedings Committee give Senate Bill 442 a favorable report.

cc: The Honorable Charles E. Sydnor, III
Members, Judicial Proceedings Committee

SB 0442 Real Property_Landlord and Tenant_Procedur

Uploaded by: Lindsey Banks

Position: FAV



**SB 0442 Real Property – Landlord and Tenant
Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over**

**Hearing before the Judicial Proceedings Committee
February 6, 2025**

Position: Favorable

SUPPORT: ACDS strongly supports SB0442.

The Bill

This bill will bring Maryland's eviction process in line with the rest of the country by ensuring that families and individuals on the verge of eviction have advance notice of the date when their eviction will occur and a limited period of time after the eviction date within which to gather their personal belongings.

All of Maryland's neighboring states, including New Jersey, West Virginia, Pennsylvania, Delaware, Virginia, North Carolina, and the District of Columbia, have laws that require both advance notice of an eviction date and a period of time within which evicted families can gather personal belongings. In fact, 46 states in the US have laws that require notice to a tenant of their eviction date and/or a reclamation period post eviction for tenants to gather their belongings, or both. *Currently, Maryland has neither.*

ACDS Connection to Eviction Matters

ACDS serves as Anne Arundel County's nonprofit housing and community development agency. As part of fulfilling this role, ACDS administers an Eviction Prevention Program providing financial assistance to prevent the eviction of families and individuals facing imminent eviction, administers grants to other nonprofits providing eviction prevention assistance, and coordinates the County's Continuum of Care and local Coalition to End Homelessness. We interact closely every day with government agencies, school personnel, legal services providers, foundations, inter-faith organizations, and others that help individuals and families facing eviction and families that need help rebuilding their lives, often from the ground up, after the family has been evicted.

Who is Most Affected by Eviction and the Threat of Eviction?

Families with children, especially families with a child under the age of five, are overwhelmingly the most likely demographic to be threatened by eviction and are also most likely to actually be evicted.

Late in 2023, the [Proceedings of the National Academy of Sciences of the United States of America](#) (PNAS) published new data developed through an innovative partnership between Princeton University's Eviction Lab, Rutgers University, and the US Census Bureau. They linked millions of eviction court records with detailed census data to provide the most accurate and comprehensive estimates to date of demographic variations in eviction risk, finding that

evictions overwhelmingly affect households with children present – 40% of individuals threatened with eviction are children. Racial disparities are stark, also - **about a quarter of Black babies and toddlers in rental households face the threat of eviction.** The study reveals that **not only does the average evicted household include a child, but the most common age to experience this traumatic event is during the earliest years of a child's life.**

Advance Notice of an Eviction Date Would Provide Time for Local Agencies to Step In to Help. Families are often taken by surprise when the Sheriff and a moving crew appear at their home to change the locks and toss their belongings out of the house. With advance notice of their scheduled eviction date, households and the agencies that may help them will know exactly how much time they have to come up with the amount needed to “pay and stay,” or to make other arrangements for their housing. This time is absolutely critical for the agencies and organizations that might be able to assist the families either with funding, so they can pay and stay, or by arranging housing alternatives.

When a family is evicted without notice and they are unable to preserve their belongings, the family's crisis is often shared with the agencies and organizations whose responsibility and mission is to help pick up the pieces, including school staff tasked with ensuring the educational success of children who are homeless or housing insecure. Loss of not just the roof over their heads, but also all their property, creates a crisis that especially traumatizes children. They lose all their belongings - their pets, cherished toys, schoolbooks and school laptops, clothing – literally everything they own is lost, often before their very eyes. For adults, too, the loss of everything – vital medicines, key documents like passports and IDs, credit cards and banking documents, computers, work clothes, tools needed for work, car keys, food, furniture, etc. The losses can set a family back not just temporarily, but permanently.

For those without alternatives, shelter must be located, along with resources for everyday life. We know from our interactions with our local nonprofits helping families start over, that those nonprofits and interfaith groups are at their limit and can't keep up with the needs of families who need to restock everything they have lost. Resources would be much more effective if directed toward helping families preserve rather than replace belongings.

Advance Notice of Eviction Dates and Some Time for Families to Gather Their Belongings Will be Life-Changing for Many Families. Maryland's current eviction process creates unnecessary crises. With the change contemplated by this bill - advance notice of the eviction date and time to gather belongings - both the crisis element and the lifelong trauma and economic impact caused by eviction will be avoided or at least ameliorated. Families will have a chance to avoid eviction altogether or to at least preserve the belongings they need to move forward with their lives after an eviction.

For the reasons noted above, ACDS urges the Committee to issue a FAVORABLE report on SB0422.

CLS Support for SB0442 - TPRA.pdf

Uploaded by: Lisa Sarro

Position: FAV

Executive Director
Jessica A. Quincosa, Esq.

Deputy Director
Kayla Williams-Campbell, Esq.

Director of Litigation and Advocacy
Lisa Sarro, Esq.

Director of Operations
Claudia V. Aguirre

Interim Development Director
Jordan Colquitt

Managing Attorney
Ivy Finkenstadt, Esq.

Supervising Attorneys
Warren Buff, Esq.
Kathleen Hughes, Esq.
Amy B. Siegel, Esq.

Attorneys
Adebola Adedoyin, Esq.
Vanessa Agbar, Esq.
Golnaz Alemousavi, Esq.
Jennifer Clark, Esq.
Katherine Cooke-Caraway, Esq.
Sheree Hughes, Esq.
Lekwon Imoke, Esq.
Deborah Kadiri, Esq.
John Kowalko, Esq.
Eric Orr, Esq.
Hina Rodriguez, Esq.
Peter Spann, Esq.
Jawaid Stationwala, Esq.
Tangi Turner, Esq.
Riana Yaman, Esq.

Equal Justice Works Fellows
Ashley Blankenship, Esq.
Emory Cole II, Esq.
Kency Nittler, Esq.

Staff
Jonathan Asprilla
Ashley Cartagena
Franklin Escobar
Elmer Espinoza
Stephanie Espinoza
Anna Goldfaden
Maria Teresa Herren
Flor Lemus
Allison Nardick
Stacey Palmer
Micaela Ramos
Abel Reyes
Glenda Soto
Alejandra Sorto
Samir Vasquez Romero
Karen Zayas



**SB0442 – Real Property - Landlord and Tenant -
Procedures for Failure to Pay Rent, Breach of Lease, and
Tenant Holding Over (Tenant Possessions Recovery Act)
Hearing of the Judicial Proceedings Committee
February 6, 2025**

Position: Favorable

Community Legal Services is pleased to submit this testimony in strong support of SB0442.

Community Legal Services (CLS) is a nonprofit legal services organization dedicated to ensuring equitable access to justice and promoting individual, family and community well-being and stability. We provide free legal services in a broad area of legal matters, including eviction prevention legal services. We have seen firsthand far too often the devastating effects that eviction has on individuals and families – devastation that is life-changing and long-lasting.

SB0442, the Tenant Possessions Recovery Act is a critical step toward ensuring due process for Maryland tenants facing evictions. It will give individuals and families advance notice and time to prepare for eviction and a chance to preserve at least their personal belongings at the worst time possible – when they lose the roof over their heads.

SB0442 is a critical step toward protecting constitutionally protected rights of tenants who are evicted from their homes.

On June 10, 2024, a decision was issued by the federal appellate court for the Fourth District, considering Maryland's current eviction laws, and, in particular, looking at an eviction practice that included no notice of an eviction date, and no opportunity for a reclamation period so tenants can preserve their personal belongings when an eviction occurs, which is how evictions throughout Maryland occur every day. No notice, no opportunity to reclaim property. As part of its written decision, the Court specifically considered Maryland statutes and concluded that, when it comes to the disposition of tenants' personal property during an eviction, current Maryland State law fails to include a process that ensures the constitutional rights of Maryland renters are protected.

P.O. BOX 374 RIVER DALE, MD 20738-0374

Community Legal Services
Opposition to SB0442
Page 2

Under both the United States and Maryland Constitutions, when someone is going to lose property due to government action (like an eviction), due process requires that both **adequate notice** of the impending loss and an **opportunity to be heard** to object to that loss be provided. In the recent case of *Todman v. Mayor and City Council of Baltimore City*, the court had a chance to review Maryland's State law as it relates to the disposition of tenants' personal property upon eviction, and the court concluded that **Maryland eviction law provides neither adequate notice nor any opportunity to be heard**. With regard to notice, the court stated: "None of the pre-hearing notices given to the Todmans [tenants] as part of the state-law eviction procedures even mention the possibility of personal property abandonment," so State eviction statutes "could not possibly have provided sufficient notice" of the potential loss of personal property. With regard to the second requirement – an opportunity to be heard to prevent the potential loss – the court remarked that there is no such opportunity at all provided in Maryland law. This bill represents a step toward ensuring Marylanders' constitutional rights are protected. (See *Todman v. the Mayor and City Council of Baltimore City*, 104 F.4th 479 (4th Cir. 2024).)

SB0442 Brings Maryland Eviction Procedures in Line With the Vast Majority of the Rest of the Country.

This bill will bring Maryland's eviction process in line with the rest of the country by ensuring that families and individuals on the verge of eviction have advance notice of the date when their eviction will occur and some time after the eviction date within which to gather their personal belongings.

All of Maryland's neighboring states, including New Jersey, West Virginia, Pennsylvania, Delaware, Virginia, North Carolina, and the District of Columbia, have laws that require both advance notice of an eviction date and time within which evicted families can gather personal belongings. In fact, 46 states in the US have laws that require notice to a tenant of their eviction date and/or a reclamation period post eviction for tenants to gather their belongings, or both. Currently, Maryland law has neither.

SB0442 Would Protect Maryland Families from Unnecessary Loss of More than the Roof Over Their Heads When They are Evicted from their Homes.

Families with children, *especially families with a child under the age of five*, are overwhelmingly the most likely demographic to be threatened by eviction, and they are also most likely to actually be evicted.

Late in 2023, the [Proceedings of the National Academy of Sciences of the United States of America](#) (PNAS) published new data developed through an innovative partnership between Princeton University's Eviction Lab, Rutgers University, and the US Census Bureau. They linked millions of eviction court records with detailed census data to provide the most accurate and comprehensive estimates to date of demographic variations in eviction risk, finding that evictions overwhelmingly affect households with children present – 40% of individuals threatened with eviction are children. Racial disparities are stark, also - about a quarter of Black babies and toddlers in rental

households face the threat of eviction. The study reveals that not only does the average evicted household include a child, but the most common age to experience this traumatic event is during the earliest years of a child's life.

Advance Notice of an Eviction Date Would Reduce the Overwhelming Burden on Governmental and Other Agencies and Allow Time to Arrange for and Provide Critical Help.

Families are often taken by surprise when the Sheriff and a moving crew appear at their home to change the locks and toss their belongings out of the house. With advance notice of their scheduled eviction date, households and the agencies that may help them will know exactly how much time they have to come up with the amount needed to “pay and stay,” or to make other arrangements for their housing. This time is absolutely critical for the agencies and organizations that might be able to assist the families either with funding, so they can pay and stay, or with arranging housing alternatives.

When a family is evicted without notice and they are unable to preserve their belongings, the family's crisis is often shared with the agencies and organizations whose responsibility and mission is to help pick up the pieces, including school staff tasked with ensuring the educational success of children who are homeless or housing insecure. Loss of not just the roof over their heads, but also all their property, creates a crisis that especially traumatizes children. They lose all their belongings - their pets, cherished toys, schoolbooks and school laptops, clothing - literally everything they own is lost, often before their very eyes. For adults, too, the loss of everything - vital medicines, key documents like passports and IDs, credit cards and banking documents, computers, work clothes, tools needed for work, car keys, food, furniture, etc. The losses can set a family back not just temporarily, but permanently.

For those without alternatives, shelter must be located, along with resources for everyday life. We know from our interactions with our local nonprofits helping families start over, that those nonprofits and interfaith groups are at their limit and can't keep up with the needs of families who need to restock everything they have lost. Resources would be much more effective if directed toward helping families preserve rather than replace belongings.

Conclusion

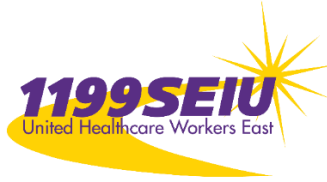
Maryland's current eviction process fails to protect the due process rights of its citizens and creates unnecessary crises. With the changes contemplated by this bill - advance notice of the eviction date and time to gather belongings - Maryland will take a step toward protecting constitution rights of its residents, and both the crisis element and the lifelong trauma and economic impact caused by eviction will be avoided or at least ameliorated.

For the reasons noted above, Community Legal Services urges the Committee to issue a FAVORABLE report on SB0442. Please feel free to contact Jessica Quincosa, Executive Director, and Lisa Sarro, Director of Litigation and Advocacy, with any questions at quincosa@clspgc.org and sarro@clspgc.org, respectively.

SB 442 TPRA-1199SEIU.pdf

Uploaded by: Loraine Arikat

Position: FAV



SB 442 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

Position: FAVORABLE

My name is Ricarra Jones, and I am the Political Director with 1199SEIU United Healthcare Workers East. We are the largest healthcare workers union in the nation, with 10,000 members in Maryland and Washington, DC.

1199 SEIU believes Senate Bill 442 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

1199 SEIU supports SB 442 because we believe housing justice is key to health justice. Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. Not only do tenants lose a roof over their heads, many lose their dignity, important medication, financial records, and the ability to recover from the fiscal loss. The Tenant Possessions Recovery Act (SB 442) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

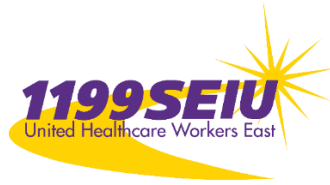
This bill would also protect local jurisdictions from future legal liability eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). The City's law - and similar local laws in Baltimore County, Prince George's County and others - declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through SB 442, localities will no longer be at risk of litigation and financial loss.

SB 442 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

1199 SEIU urges a favorable report on SB 442.

Sincerely,

Ricarra Jones
Political Director of 1199SEIU



Ricarra.jones@1199.org

HB767_SB442 Prepared for 020625.pdf

Uploaded by: Louise Weissman

Position: FAV

Date of hearing: Feb. 6, 2025

Louise Weissman
Greenbelt, 20770

TESTIMONY ON SB442# - POSITION: (FAVORABLE)
**Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent,
Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)**
TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings
Committee

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Louise Weissman

My name is Louise Weissman. I am a resident of D22. I am submitting this testimony in support of SB442: the Tenant Possessions Recovery Act. I believe the legislation is a critical step toward ensuring that tenants are given notice of their impending eviction. It also includes a limited, but reasonable period of time to gather their personal possessions if the eviction were to be executed.

I am a 72 year old retiree, and a tenant in an apartment complex in Greenbelt in Prince George's County. I am in a better position than many who typically face eviction. I receive Social Security, receive a small pension, and I have some retirement savings. Still, I needed someone to co-sign my lease, as I do not qualify for the 30% income required. Maryland's tenant laws do not support tenants, and in these times of uncertainty and with prospects that Social Security and Medicare will be reduced, if not eliminated, I worry.

Jewish text acknowledges that housing is more than a roof over one's head. When an individual or family is denied safe housing, they lose their dignity. Taking away their possessions can rob their family for generations to come. The sight of possessions moved to the curb or locked in the property amplifies the trauma experienced. The Tenant Possessions Recovery Act (SB 442) would alleviate some of trauma by requiring landlords to give 14 days' notice of the pending eviction and a 10-day window to reclaim belongings while the eviction is executed.

Respectfully I urge this committee to return a favorable report on SB#442. Thank you.

SB442 Jews United for Justice

Uploaded by: Matan Zeimer

Position: FAV

February 6, 2025

Anne Rosenthal
Baltimore, MD, 21211



TESTIMONY ON SB 442- POSITION: FAVORABLE

Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Anne Rosenthal, on behalf of Jews United for Justice (JUFJ)

My name is Anne Rosenthal, and I am a resident of Baltimore City, in district 43A. On behalf of Jews United for Justice (JUFJ), I am submitting this testimony in support of SB 442, the Tenant Possessions Recovery Act. JUFJ organizes over 6,000 Jewish Marylanders and allies in support of local campaigns for social, racial, and economic justice.

Beyond classifying housing as a human right, Jewish texts identify the responsibility of landlords and governments to respect and protect renters' rights. Jewish values also steer us to pay special attention to our most vulnerable neighbors, and to protect items of value to others, even if they have no value to us. Unfortunately – running contrary to this principle, current Maryland law allows landlords to dispose of a tenant's property however they wish when law enforcement executes a warrant of restitution as part of the eviction process.

Through graduate school in public health and several years of experience working in Baltimore City Public Schools, I have observed – both in the research and in reality – the trauma caused by eviction and loss of possessions. I have also seen this trauma manifest throughout my volunteer work with refugees resettled in Baltimore. One family who spent years in refugee camps far from their war-torn homeland ultimately landed in a rental home in East Baltimore. This family had been able to ferry precious belongings out of their homeland, from camp to camp, and finally across an ocean. Now, though, in our own city, they faced the prospect of losing all these belongings – on top of their home – when their landlord threatened eviction. What good could come of their three young children losing their English workbooks, their two teenagers losing the backpacks teachers had gifted them, and the mom of the family losing her new workplace badge and precious documents hauled from overseas.

The Tenant Possessions Recovery Act would put a stop to devastating losses like these. It would require 14-day notice of a scheduled eviction and would establish a 10-day period during which a tenant could reclaim personal possessions before the landlord disposes of them. 46 other states have already passed bills with at least one of these two key components. If Maryland aims to be a state where all families can thrive, how can we allow evictions to strip renters of all they need merely to survive?

On behalf of JUFJ, I respectfully urge this committee to return a favorable report on SB 442, the Tenant Possessions Recovery Act.

SB 442 TPRA Testimony.pdf

Uploaded by: Michael Lent

Position: FAV

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,
Feb. 6, 2025**

Position: FAVORABLE

I, Michael Lent constituent of District 8, believe Senate Bill 442 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. In MD, [when tenants like Sharnae Hunt are evicted from their homes](#), not only do they lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to adequately find another home due to the trauma and fiscal loss. Financial records & children's keepsakes are all moved to the curb or locked in the property. The Tenant Possessions Recovery Act (SB 442) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

This bill would also protect local jurisdictions from future legal liability eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). The City's law – and similar local laws in Baltimore County, Prince George's County and others – declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through SB 442, localities will no longer be at risk of litigation and financial loss.

SB 442 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date **and** the opportunity to reclaim their personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

SB 442 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, SB 442 benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on sight for the day of the eviction in order to move the tenants belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

I am urging the Senate Judicial Proceedings Committee offer a favorable report on SB 442

Sincerely

Michael Lent
District 08
2054 Creighton Ave Parkville MD 21234

Maryland Catholic Conference_FAVSB442_.pdf

Uploaded by: Michelle Zelaya

Position: FAV



February 6, 2025
SB442

Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

**Judicial Proceedings Committee
Position: Favorable**

The Maryland Catholic Conference (MCC) offers this testimony in support of **Senate Bill 442**. The Maryland Catholic Conference (MCC) is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals, and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 442 establishes new requirements for landlords in cases of eviction due to failure to pay rent, breach of lease, or tenant holding over. It mandates that landlords provide notice to tenants when a court issues a warrant of restitution. The bill also outlines procedures for executing the warrant and specifies how personal property left behind after an eviction should be handled, ensuring clarity and fairness in the repossession process.

Catholic social teaching underscores the dignity of every person and the importance of ensuring just treatment in housing. This bill aligns these principles by safeguarding tenants' rights and ensuring they are treated with respect during difficult circumstances like eviction. Supporting this legislation reflects a commitment to justice, compassion, and care for vulnerable populations, fostering a society where housing practices honor the dignity of all individuals.

This legislation provides greater transparency and fairness in eviction proceedings, helping to protect tenants from sudden or unjust repossession of their belongings. By requiring landlords to follow specific procedures, the bill supports a more equitable balance between landlord and tenant rights. It also promotes accountability and reduces the likelihood of disputes, contributing to stable housing conditions and stronger community relationships.

The MCC appreciates your consideration and respectfully urges a favorable report for **Senate Bill 442**.

Testimony in support of SB0442 - Real Property - L

Uploaded by: Richard KAP Kaplowitz

Position: FAV

SB0442_RichardKaplowitz_FAV

02/06/2025

Richard Keith Kaplowitz Frederick,
MD 21703-7134

TESTIMONY ON SB#0442 - POSITION: FAVORABLE

Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and
Tenant Holding Over (Tenant Possessions Recovery Act)

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings
Committee

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of/ SB#/0442, Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

This bill preserves the rights of a tenant who has had a situation in which their inability to pay rent or their having breeched a lease has caused a landlord to take action to recover monies due and repossess a rental or leased property.

This bill establishes a requirement for a landlord to provide certain notice to a tenant when a court has issued a warrant of restitution for a failure of a tenant to pay rent, a breach of lease, or a tenant holding over under certain circumstances. It accomplishes this by establishing certain procedures and requirements for the execution of a warrant for repossession. It keeps the affected tenant from personal and financial loss compounding their situation by providing for the disposition of certain personal property following the execution of a warrant of restitution that protects their property from becoming a total loss.

I respectfully urge this committee to return a favorable report on SB0442.

SB442 Testimony - TH.docx.pdf

Uploaded by: Tim Hoang

Position: FAV



TESTIMONY
Maryland General Assembly
Hearing before the Senate Judicial Proceedings Committee
February 6, 2025

**SB 442 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent,
Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)**

Tim Hoang, 415-964-1105
Outreach Coordinator, Montgomery County Renters Alliance, Inc.
Position: FAVORABLE

Good afternoon, Chairman Smith, Vice Chair Waldstreicher, and Committee members. Thank you for giving me the opportunity to speak today. My name is Tim Hoang and I am speaking on behalf of the Montgomery County Renters Alliance as one of our outreach coordinators. The Renters Alliance is Maryland's first and only regional nonprofit dedicated exclusively to renter outreach, education, organizing, and advocacy.

The Renters Alliance is in strong support of Senate Bill 442, which is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed. We would like to thank Senator Snyder for introducing this sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

SB 442 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, SB 442 benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on sight for the day of the eviction in order to move the tenant's belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

The Renters Alliance strongly urges a favorable report. Thank you for your time.

2.04 SB 442 - Real Property - Landlord and Tenant

Uploaded by: Tonaeya Moore

Position: FAV



**SB 442 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease,
and Tenant Holding Over (Tenant Possessions Recovery Act)
Senate Judicial Proceedings Committee
February 06, 2025
SUPPORT**

Chair Smith, Vice-Chair and members of the committee, thank you for the opportunity to submit testimony in support of Senate Bill 442. This bill will ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. In MD, [when tenants like Sharnae Hunt are evicted from their homes](#), not only do they lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to adequately find another home due to the trauma and fiscal loss. Financial records & children's keepsakes are all moved to the curb or locked in the property. The Tenant Possessions Recovery Act (SB 442) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

This bill would also protect local jurisdictions from future legal liability eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). The City's law – and similar local laws in Baltimore County, Prince George's County and others – declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through SB 442, localities will no longer be at risk of litigation and financial loss.

SB 442 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date **and** the opportunity to reclaim their

Creating Assets, Savings and Hope



personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

SB 442 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, SB 442 benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on sight for the day of the eviction in order to move the tenants belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

The CASH Campaign of Maryland is a member of the Renters United Maryland coalition and asks that the Committee issue a report of FAVORABLE on SB 442.

SB0442 - Maryland Legal Aid - FAV.pdf

Uploaded by: Zafar Shah

Position: FAV



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,
On Feb. 6, 2025

Position: FAVORABLE

Maryland Legal Aid (MLA) submits its written and oral testimony on SB 442 at the request of bill sponsor Senator Charles Sydnor.

Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. Our offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, the most prominent of which is housing. MLA Tenant Right to Counsel Project represented renters in over 4,600 eviction cases in 2024. Because we cannot prevent every eviction and know the dire predicament of our clients facing imminent eviction, we urge this Committee to report **favorably** on Senate Bill 442. This legislation is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period to reclaim their personal possessions in case an eviction occurs.

SB 442 is important because of clients like Reginald Reynolds.

Reginald, a 56-year-old man in Washington County, was working full-time for Amazon and living in public housing in December 2023. Around that time, he was injured in a bus accident and missed two weeks of work. The injury, missed hours, and then a paycheck error outside of his control led to a temporary reduction in his income. He fell behind on rent. The Housing Authority would not adjust his rent in light of the hardship, and Reginald was later evicted from his apartment for Failure to Pay Rent.

On the day of eviction, Reginald was on a bus heading to his apartment with the money in hand to pay off the judgment, that is, to redeem possession as allowed by state law. But he arrived too late. When he returned to his unit, he found that the locks to his apartment had already been changed. Everything he owned in the world had been inside his apartment, including his prescription medication. That day and for several days following the eviction, Reginald searched the outside of the apartment building for his belongings, walking the perimeter with friends, over and over. Reginald also talked to both security and maintenance staff, but no one could tell him where to find his belongings or his medication. Because of eviction, Reginald lost everything he owned, including all his furniture and all his clothing, sentimental items like family photos and photos of his daughter when she was born and growing up, his own birth certificate and his daughter's birth certificate, all his personal and medical papers, and most importantly, his blood thinner medication that had been prescribed because he has

Atrial Fibrillation. He had just refilled that prescription, and in that post-eviction moment, it was too soon for him to get a refill.

As a result, he went without necessary medication and ended up hospitalized three times due to symptoms of Atrial Fibrillation in the seven weeks following his eviction. Life has become one setback after another for Reginald. He believes that post-eviction access to personal possessions would have protected him from the trauma and the dangerous health consequences he experienced after losing his rental housing.

MLA hears from tenants throughout the year about how they have not only lost the roof over their heads, but also their personal possessions, vital records, life-saving medications or medical equipment, keepsakes, and heirlooms. They feel as though they have lost themselves as they search for some way to pick up the pieces financially and emotionally. As housing cost burden impacts around half of Maryland renters, anyone could end up in this situation.

Notice and recovery period are critically needed.

SB 442, the Tenant Possessions Recovery Act (TPRA), would mitigate this trauma and loss by requiring that tenants receive 14 days' notice of their eviction date and have a 10-day post-eviction window to reclaim their belongings from their former home or from another site. These measures would bring Maryland in line with 28 states and the District of Columbia, which require that a tenant have notice of their eviction date and a limited window to reclaim their personal possessions. Among those jurisdictions that provide a post-eviction recovery period are Maryland's neighbors: Washington D.C. (7 days), New Jersey (30 days), West Virginia (30 days), Pennsylvania (30 days), Delaware (7 days), and Virginia (1 day).

The TPRA would apply to evictions for non-payment of rent, holdover, and breach of lease and establish uniform procedures for (1) notifying tenants of their actual eviction date, (2) prohibiting the dumping of tenants' personal possessions in the public right of way, and (3) affording tenants a 10-day post-eviction period to reclaim personal possessions from the rental property or another secure location chosen by the former landlord.

Notice of eviction under SB 442

Under SB 442, landlords must send a notice to tenants that provides critical information about their pending eviction. Of foremost importance, the notice must state the actual eviction date, not simply that an eviction may occur at some time after the date of the notice. Additionally, the notice must provide the District Court case number for case that resulted in an order to evict the tenant. It must also state the date on which the court signed a warrant of restitution for the eviction. These additional elements of notice are important for establishing that the notice of eviction is legitimate. As importantly, the eviction notice would include information about whether the tenant may redeem possession by payment of a certain amount and would notify the tenant that they have the right to

recover their personal possession for up to 10 days after the eviction, after which time their possessions will be deemed (? abandoned?)and disposable.

Recovery period under SB 442

For up to 10 days after the eviction, the tenant may recover their personal possessions from the rental property or a reasonably secure location chosen by the landlord. During this recovery period, the landlord may not charge the tenant a fee for storing the personal property. The landlord would not be liable for loss or damage to stored property except where they acted deliberately or with gross negligence.

Those opposed to this bill will argue that a recovery period is unnecessary because the bill provides a 14-day notice of the scheduled eviction date. Presumably, that 14-day notice period provides sufficient time for the tenant to vacate with their belongings. However, MLA knows from our clients that, too often, tenants do not have notice of their evictions until the sheriff shows up to execute the warrant. In these surprise eviction scenarios, many of MLA's clients are not even aware that they missed a court date and were subject to a court's order for eviction. SB 442 would alleviate the harm of surprise evictions. We would expect failed notices to be rare, but we also know that, in those rare instances, we must safeguard against catastrophic loss. The 10-day post-eviction recovery period provides that safeguard.

SB 442 improves on the existing model of anti-blight eviction policies.

After the 10-day recovery period, a tenant's unclaimed personal property would be deemed legally abandoned. The landlord would then be able to dispose of that personal property by moving it to a landfill or solid waste facility, donating it, selling it, or taking any other steps other than placing it on public property or in the public right-of-way.

In recent years, the General Assembly has considered delegation-requested bills (Wicomico County, Charles County, Anne Arundel County) that sought to prevent eviction-related blight by copying Baltimore City's "clean streets" ordinance. The city ordinance, enacted in 2007, requires landlords to notify tenants of their actual eviction date in non-payment eviction cases. The tenants' personal possessions are deemed abandoned at the time of eviction, and the landlord is obligated to remove the tenants' belongings to a landfill or by other means that avoid obstruction of the public right of way. The "clean streets" legislation was a compromise to curtail both surprise evictions and blight. In the intervening 18 years, however, tenants and tenant advocates have found that the legally required eviction notice sometimes fails. In these instances, the harm of the surprise eviction is exacerbated by the abandonment provision in the law. Households lose everything, without legal right to intervene as they watch crews destroy and haul away their belongings or even hold those belongings ransom for exorbitant prices.

Fourth Circuit decision: Baltimore City's "clean streets" law unconstitutional

On June 10, 2024, the Fourth Circuit Court of Appeals ruled in *Todman v. Mayor and City Council of Baltimore* that Baltimore City's "clean streets" law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). Baltimore County and Prince George's County have similar statutes that declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. This statutory scheme, in the view of the Court, is constitutionally inadequate and exposes cities and counties to liability for damages. However, by establishing mandatory notice to renters of their eviction date and an opportunity to collect their belongings, SB 442 would mitigate local governments' risk of litigation and financial losses.

Tenants who lose their housing should not be forced to start over with only the clothes on their back. The TPRA will enhance public safety and bring Maryland in line with other surrounding states that have taken a systematic approach to mitigating the harm of eviction. For these reasons, Maryland Legal Aid urges the Committee's favorable report on SB 442. If you have any questions, please contact:

Zafar S. Shah
Advocacy Director for Human Right to Housing
zshah@mdlab.org | (410) 951-7672

Jen Weil
Senior Staff Attorney
jweil@mdlab.org | (240) 575-5025 ext. 3307

SB442 TPRA 2025 FAV.docx.pdf

Uploaded by: Zoe Gallagher

Position: FAV



**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,
Feb. 6, 2025
Position: FAVORABLE**

02/06/2025

The Honorable Senator William Smith, Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401

cc: Members, Judicial Proceedings Committee

Honorable Chair Smith and Members of the Committee:

Economic Action Maryland (formerly the Maryland Consumer Rights Coalition) is a statewide coalition of individuals and organizations that advances economic rights and equity for Maryland families through research, education, direct service, and advocacy. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland. Economic Action is also a member of the steering committee for Renters United Maryland, a coalition of organizations dedicated to strengthening tenant protections throughout the state.

Economic Action Maryland Fund believes Senate Bill 442 is a critical measure to ensure that tenants have notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Economic Action Maryland Fund's Tenant Advocacy Program is a direct service program that works with tenants to resolve disputes with landlords and provide tenant rights education. Our SOAR (Securing Older Adult Resources) Program also works directly with low-income older adults across the state to assist in applying for and receiving tax credits and social benefits. As property taxes and rent rise alongside the cost of living, older adults living on fixed incomes are struggling to pay their rent. One of our older clients is currently facing eviction, as the cost of her car insurance and utilities have increased so much that she can no longer afford her rent. Many older adults do not have wide support networks to ensure that all of their belongings are collected on the date of their eviction. Not only should evicted tenants be able to reclaim sentimental belongings after eviction, but they should also be able to ensure that any expensive medical devices and health necessities are able to be recovered.

Building a life is expensive, finding new housing in the face of an eviction is expensive, we must take steps to protect vulnerable Marylanders by ensuring they are able to reclaim as much of their personal property as they are able to within a reasonable timeline.

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. In MD, [when tenants like Sharnae Hunt are evicted from their](#)

2209 Maryland Ave · Baltimore, MD · 21218 · 410-220-0494
info@econaction.org · www.econaction.org

Tax ID 52-2266235

Economic Action Maryland Fund is a 501(c)(3) nonprofit organization and your contributions are tax deductible to the extent allowed by law.



[homes](#), not only do they lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to adequately find another home due to the trauma and fiscal loss. Financial records & children's keepsakes are all moved to the curb or locked in the property. The Tenant Possessions Recovery Act (SB 442) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

This bill would also protect local jurisdictions from future legal liability eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). The City's law – and similar local laws in Baltimore County, Prince George's County and others – declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through SB 442, localities will no longer be at risk of litigation and financial loss.

SB 442 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date **and** the opportunity to reclaim their personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

SB 442 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. SB 442 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, SB 442 benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on sight for the day of the eviction in order to move the tenants belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

For these reasons, Economic Action Maryland Fund urges a favorable report on SB 442

Thank you,

Zoe Gallagher

Policy Associate

2209 Maryland Ave · Baltimore, MD · 21218 · 410-220-0494

info@econaction.org · www.econaction.org

Tax ID 52-2266235

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SB442.pdf

Uploaded by: Ashley Clark

Position: UNF



Senate Bill 442

Date: February 3, 2025
Committee: Judicial Proceedings
Position: Unfavorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose membership consists of owners and managers of more than 207,246 rental housing homes in more than 937 apartment communities. Our members house over 667,000 residents of the State of Maryland throughout the entire State of Maryland. MMHA membership also includes more than 216 associate members that supply goods and services to the multi-housing industry. More information is available at <https://www.mmhaonline.org/>

Senate Bill 442 (“SB 442”) requires a housing provider to provide a resident with an additional notice at least 14 days prior to the execution of a warrant of restitution. Additionally, it creates a new 10-day reclamation period that would require a housing provider to store a resident’s property for free. It further establishes a sheriff deputy as a fact finder and adjudicator of record at the location where a warrant of restitution is being carried out.

SB 442 specifically notes that local jurisdictions may set penalties or legislate in addition to the bill, which has the potential to create a patchwork of penalties and requirements across the state. In addition to potential penalties at the local level, the bill unnecessarily seeks to establish a private right of action that would allow residents to recover actual damages, attorney fees, court costs, and any other remedy determined by the court.

For MMHA, this bill is problematic on many fronts, namely that the onus is placed exclusively on the landlord who has exercised their legal right to regain possession of their property. This bill does not address a tenant’s responsibilities which should include their own inquiry about the status of their pending eviction and removing their items on or before their eviction. Instead, this bill elevates tenant protections above the rights of a landlord.

SB 442 also triggers concerns related to the timing of a 14-day notice and the costs for storage of the former tenant’s personal property. As for the notice requirement, many of our members can attest to the fact that it is not unusual for eviction dates to change based on the scheduling and availability provided by the sheriff’s department. As a result, the dates provided in the notice may not be accurate which in turn would cause a landlord to be in violation. As for the storage costs, a landlord is not allowed to charge for the storage of the former tenant’s personal property. The only costs they are allowed to collect during the reclamation period are the expenses incurred in providing the notice to the tenant of the eviction. This amount cannot exceed \$5, which does not factor in the turnover costs and vacancy loss that will accrue during the proposed 10-day reclamation period – none of which can be recouped.



Lastly, there has been much discussion about squatter legislation. Our members fear that granting access to reclaim personal property, post eviction, will likely increase the number of wrongful detainer actions. By doing so, we are creating more layers to that issue which has yet to be addressed, prolonged the inevitable eviction, and created a safety concern for all involved parties. We are not solving but rather creating more problems.

It is for the aforementioned reasons, that MMHA respectfully requests an unfavorable report on SB 442. Please contact Ashley Clark at ashley.clark@mdlobbyist.com with any questions or concerns. Thank you.

AOBA_SB442_UNF.pdf

Uploaded by: Brian Anleu

Position: UNF



Bill: Senate Bill 442 – Tenant Possessions Recovery Act

Committee: Judicial Proceedings

Date: February 6, 2025

Position: Unfavorable

The Apartment and Office Building Association (AOBA) of Metropolitan Washington is a non-profit trade association representing the owners and managers of more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's counties. AOBA submits the following testimony in opposition to Senate Bil 442.

SB 442 requires housing providers to provide tenants with a 14-day notice of an eviction prior to the scheduled repossession of the unit as set by the Sheriff's Office. AOBA opposes this requirement because it places an additional burden on housing providers and could result in an eviction being vacated by the District Court if adequate notice was not provided. Scheduling evictions is already a lengthy process particularly during the winter months when evictions can be canceled the day of due to inclement weather. Currently, evictions are taking 90 days or more to schedule in both Montgomery and Prince George's Counties. Any additional notice provision should be placed on the Sheriff's Office since they are responsible for scheduling evictions.

This bill also requires a housing provider to store an evicted tenant's property for up to 10 days following the repossession of the unit. Housing providers do not have empty storage space, so this requirement would result in the tenant's belongings remaining in the unit for 10 days following the eviction. This burden adds to the losses incurred by the housing provider because it extends the amount of time it would take to turn over the unit. Lastly, it is unclear whether a sheriff would need to be present after the 10-day period expires so that the housing provider can dispose of the abandoned property.

For these reasons, AOBA urges an unfavorable report on Senate Bill 484. For more information, please contact Brian Anleu at banleu@aoba-metro.org.

AOBA_SB442_UNF.pdf

Uploaded by: Brian Anleu

Position: UNF



Bill: Senate Bill 442 – Tenant Possessions Recovery Act

Committee: Judicial Proceedings

Date: February 6, 2025

Position: Unfavorable

The Apartment and Office Building Association (AOBA) of Metropolitan Washington is a non-profit trade association representing the owners and managers of more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's counties. AOBA submits the following testimony in opposition to Senate Bil 442.

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For these reasons, AOBA urges an unfavorable report on Senate Bill 442. For more information, please contact Brian Anleu at banleu@aoba-metro.org.

SB 442 RMI Oppose.pdf

Uploaded by: Katherine Howard

Position: UNF

REGIONAL MANAGEMENT INC.

SB 442 -Real Property- Landlord and Tenant-Procedures for Failure to Pay Rent, Breach of Lease and Tenant Holding Over

(Tenant Possessions Recovery Act)

Testimony of Regional Management, Inc.- Oppose

February 6, 2025

Regional Management, Inc, (RMI) is a property management company which has, for over 60 years, managed over 5,000 units of affordable, market rate, residential properties in Baltimore City and County. RMI is a founding member of the Maryland MultiHousing Association.

RMI **opposes** SB 442's overreaching requirements that obligate Property Owners to safeguard Tenant property for **lengthy reclamation periods exposing these Property Owners to potential liability**. Moreover, allowing chattels to be deemed abandoned after **10 days** is not acceptable both because the reclamation period is too lengthy and it unduly thwarts the Property Owner's ability to return the rental unit to the market.

In both Baltimore and Prince Georges counties reclamation of Tenant chattels are done by either allowing the chattels to be placed in an area that is accessible to the evicted Tenant, allowing them to pick up their belongings, or by holding the chattels for a finite number of hours post eviction so the Tenant can reclaim them with assistance of a Sherriff or other law enforcement officer. This is certainly a more reasonable compromise for both Property Owner and former Tenant.

Although RMI has the bulk of its portfolio in Baltimore City and has prior to and since the 4th Circuit Court of Appeals decision in Todman v. The Mayor and City Council of Baltimore, notified its Baltimore City tenants of pending eviction actions in Failure to Pay Rent (FTPR) cases and in Tenant Holding Over and Breach of Lease cases, it remains adamant that this bill is unduly punitive to Property Owners not only because jurisdictions across the state can "do their own thing"; but also because those same Property Owners must follow the law to regain their property lawfully when their Tenant has failed to abide by their responsibilities under their lease contract.

Thus, RMI asks for an UNFAVORABLE REPORT.

Katherine Kelly Howard, Esq., General Counsel for Regional Management, Inc.

(410) 539-2370 • 11 EAST FAYETTE STREET • BALTIMORE, MARYLAND 21202-1679

Baltimore County Eviction Chattels Statute

§ 35-3-103. - PLACEMENT OF PERSONAL PROPERTY IN CASE OF EVICTION.

(a)In general.

(1)A designated authority executing a warrant of restitution shall place the property of the tenant that has been removed from the leased premises:

(i)On the landlord's property; and

(ii)1. In a place designated by the landlord; or

2. If no place is designated by the landlord, in a place as near as possible to the leased premises.

(2)The property of the tenant may not be placed on a public highway, a public right-of-way, or public property.

(3)Property removed from the leased premises in accordance with a properly issued warrant of restitution shall be considered abandoned.

(b)Mobile home or trailer.

(1)When the tenant's property to be removed is a mobile home or a trailer as defined under § 8A-101 of the Real Property Article of the Annotated Code of Maryland, the landlord may direct the property to remain at its existing location.

(2)The mobile home or trailer may not be placed on a county highway or right-of-way or on any public property other than a land disposal site.

(3)The landlord shall post the mobile home or trailer as evicted property while it remains on the landlord's property.

(c)Penalty. A person who violates this section is subject to a civil penalty of \$1,000.

(1988 Code, § 18-5) (Bill No. 154-93, § 1, 12-9-1993; Bill No. 11-99, § 1, 4-5-1999; Bill No. 25-01, § 2, 7-1-2004; Bill No. 76-03, § 7, 7-1-2004)

PRINCE GEORGE'S COUNTY EVICTION CHATTLES STATUTE

- **Sec. 13-164. - Evictions; Placement of abandoned property.**

(a)After a warrant of restitution is executed, the landlord shall dispose of the property of a tenant. In no event may any of the tenant's property be placed on a public right-of-way or on any public property. Any property removed from the leased premises pursuant to a properly issued warrant of restitution shall be deemed abandoned.

(b)If the tenant or the tenants' agent is present at the time the warrant of restitution is executed, the tenant shall be permitted to salvage and transport the tenant's property removed from the leased premises, after the warrant of restitution is executed, for a reasonable period of time, not to exceed four hours.

(c)This section shall not apply to County owned property.(CB-9-2001; CB-26-2003)

- **Sec. 13-164.01. - Legislative intent.**

The purpose of this legislation is to address the public health concerns regarding trash collection that may arise following an eviction. The County finds that the accumulation of garbage, litter, rubbish, abandoned property, and/or trash following an eviction may adversely affect the health, safety and general welfare of the residents of the County. This legislation seeks to improve public health by minimizing odor, removing unsightly garbage, litter, rubbish, abandoned property, and/or trash in order to prevent insect and/or rodent infestation, breeding, and feeding.(CB-64-2016)

- **Sec. 13-164.02. - Evictions; notification, removal of garbage, litter, rubbish, abandoned property, and/or trash.**

(a)The Office of the Sheriff shall notify the enforcing agencies of the County of the eviction. The Office of the Sheriff shall notify, within one business day, the Department of Permitting, Inspections and Enforcement and the Department of Public Works and Transportation regarding the eviction.

(b)Following an eviction, no garbage, litter, rubbish, abandoned property, and/or trash shall be placed, left, dumped or permitted to accumulate or remain in buildings or premises in the County.

(c)After the initial period, which is granted pursuant to [Section 13-164](#), in which the evicted person or persons have to remove property, the landlord has one business day following an eviction to have the garbage, litter, rubbish, abandoned property, and/or trash from the eviction removed at the expense of the property owner. Within one business day of receipt of a complaint that garbage, litter, rubbish, abandoned property and/or trash is not removed the Department of Permitting, Inspections and Enforcement shall investigate the complaint and shall issue a violation notice and/or citation, as deemed appropriate. For private property evictions, the Department of Public Works and Transportation shall be designated as the responsible agency to remove garbage, litter, rubbish, abandoned property and/or trash placed on private property after an eviction upon receipt of a clean-up request and court order.(CB-64-2016)

- **Sec. 13-164.03. - Exemption; municipal corporations.**

Municipal corporations that provide trash collection services in their jurisdiction shall be exempt from the provisions of this Act. (CB-64-2016)

- **Sec. 13-164.04. - Fines.**

Any person who violates any provision of Sections [13-164.01](#), and/or [13-164.02](#) shall pay a fine of One Thousand Dollars (\$1,000), per day. A tax lien may be placed on a property or properties to recoup outstanding fines. Fine recoveries shall be dedicated to the Solid Waste Management Fund. (CB-64-2016)

- **Sec. 13-164.05. - Costs.**

Any person who violates any provision of Sections [13-164.01](#), and/or [13-164.02](#), shall pay the cost of removal of trash and related expenses. A tax lien may be placed on a property or properties to recoup outstanding costs. Cost recoveries shall be dedicated to the Solid Waste Management Fund.

Within 18-months after implementation of Sections [13-164.02](#), [13-164.03](#), [13-164.04](#), and [13-164.05](#) of this Subtitle, a report of the actual annual number of evictions, actual annual number of trash removals after an eviction by the county, actual annual costs, actual annual revenues, and an evaluation with projected annual costs, projected annual revenues as well as recommendations on streamlining the enforcement process of Sections [13-164.02](#), [13-164.03](#), [13-164.04](#), and [13-164.05](#) of this Subtitle, shall be presented to the County Council by the enforcing agencies, which may include the Department of Permitting, Inspections and Enforcement, the Department of the Environment, and the Department of Public Works and Transportation.(CB-64-2016)

MBIA Letter of Opposition SB442.pdf

Uploaded by: Lori Graf

Position: UNF

February 6, 2025

The Honorable William C. Smith Jr.
Chairman, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401

RE: SB442 Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Dear Chair Smith:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding SB 442 Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over. MBIA Opposes the Act in its current version.

This bill would seek to require a landlord to provide certain notice to a tenant when a court has issued a warrant of restitution for a failure of a tenant to pay rent, a breach of lease, or a tenant holding over under certain circumstances. Currently, when a tenant fails to pay rent, the landlord may seek eviction and money damages. Recently, the state of Maryland required that before filing a Failure to Pay Rent case with the District Court, tenant's must be provided with a notice of the Landlord's intent to do so. The notice must tell the tenant how much rent is due and give them 10 days to pay.

This recently added provision allows at least some time for the tenant to access resources in order to pay the amount owed, as well as access the unit for any personal belongings. The extension of this timeframe is premature given in most cases the tenant is able to retrieved all of their personal belongings. We would ask that the committee not move to adopt this legislation given the timeframe built into the policy now is fair.

We appreciate the opportunity to submit comments on the proposed legislation and ask the committee for a un favorable report.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Judicial Proceedings Committee

SB 442_realtors_unf.pdf

Uploaded by: William Castelli

Position: UNF



Senate Bill 442 – Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Position: Unfavorable

The Maryland REALTORS® oppose SB 442 which extends the time of eviction for housing providers and property managers.

Many Maryland REALTORS® provide property management services for single-family rental properties. While the REALTORS® appreciate that eviction is difficult for many tenants, eviction is also a difficult process for many housing providers. When an eviction occurs, many owners not only lose rent payments that they may rely on to pay a mortgage for the time period of the judgment, but the owner will now be faced with the additional costs of eviction and turning the unit over. In Prince George's County, as an example, the Sheriff's office requires a single-family rental property to provide the following before the Sheriff will evict:

- A 25-person moving crew
- A tow truck on-site (or the availability of a tow truck)
- A locksmith on-site (or the availability of a locksmith)

Combining the day of eviction costs, with the time to clean, paint (likely), market the property, and lost rent the housing provider will be out thousands of dollars.

SB 442 will actually extend the eviction period to 24 days for many owners because of the requirement that a housing provider keep a tenant's personal property for up to 10 days after the eviction (14-day notice to evict and 10 period to keep personal items). In a single-family rental, many tenants move the personal property (furniture, clothes, personal items) they want and leave the personal property they don't. As a result, a housing provider, under this bill, will be required to keep the unwanted property in the house for another 10 days (rather than paying for a storage locker to rent) before disposing of the tenant's unwanted personal property.

SB 442 also directs the District Court to vacate a warrant of restitution when an owner fails to provide notice. For some owners of single-family properties -- particularly not professionally managed properties -- this can be harsh penalty. Some small landlord's ignorance of the law, rather than their willfulness, may result in more months of no rent for an owner who is probably managing the property themselves because they do not have the money to pay a professional.

While the current law permitting execution of the warrant of restitution within 4 days after the judgment seems short, the likelihood is that both the tenant and the homeowner have been waiting for a court date for at least a month. Not only does a tenant have time to plan, but as a matter of policy, the law should encourage a quick return of the property to the market for the next tenant looking for a home.

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

SB 442 - Real Property_HABC (1).pdf

Uploaded by: Crystal Hypolite

Position: INFO

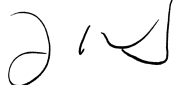
Robin Truiett-Theodorsen
Chairperson | Board of Commissioners

Janet Abrahams
President | Chief Executive Officer



February 4, 2025

TO: Members of the Judicial Proceedings

FROM: Janet Abrahams, HABC President & CEO 

RE: SB 442 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

POSITION: Letter of Information

Chair Williams, Vice Chair Waldstreicher, and Members of Judicial Proceedings, please be advised that the Housing Authority of Baltimore City wishes to submit Information on SB 442 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act). This bill establishes additional requirements once a court has issued a warrant of restitution in a failure to pay rent, breach of lease, or tenant holding over action, as specified, including requirements related to notice and the storage of a tenant's property. The bill also establishes civil remedies for a tenant if a landlord is in violation of the bill's provisions.


The Housing Authority of Baltimore City (HABC) is the country's 5th largest public housing authority and Baltimore City's largest provider of affordable housing opportunities. HABC serves over 43,000 of Baltimore City's low-income individuals through its Public Housing and Housing Choice Voucher programs. HABC's public housing inventory currently consists of just under 6,000 units located at various developments and scattered sites throughout the city. HABC is federally funded and regulated by the U.S. Department of Housing and Urban Development (HUD).

The Baltimore City Chattel law currently requires the landlord to provide a 14-day notice of the date of the eviction, and the notice must be sent to the resident by first class mail with a certificate of mailing. The City law currently requires the landlord to post the 14-day notice on the residents' door and does not require the landlord to take a date stamped photo of the posted notice. There are certain provisions of the proposed legislation that are not consistent with current Baltimore law.

For example, SB 442 - Tenant Possessions Recovery Act requires the following significant different content from the Baltimore City law to be included in the 14-day notice:

- Requires the landlord to take a date stamped photo of the posted notice;
- The amount to redeem possession of the premises if that is possible;
- A statement that any personal property left on the property after the eviction is considered abandoned and may be disposed of after 10 days from the date of the eviction;
- A statement how the tenant can obtain their personal property;

Housing Authority of Baltimore City | 417 East Fayette Street, Baltimore, MD 21202

 410.396.3232  www.HABC.org     @BmoreHabc 

- The telephone number, email address and mailing address where the landlord can be contacted.

SB 442 - Tenant Possessions Recovery Act requires also that the Sheriff file the notice and supporting documentation with the court, which is a new responsibility for the Sheriff. The effect of this new responsibility for the Sheriff is that HABC must make and maintain a copy of the notice and supporting documentation.

The provision in this legislation requiring the landlord to store the personal property of the tenant for 10 days after the eviction either in the unit or at a secured location would have a considerable impact on HABC. The landlord must make the tenant's personal property "reasonably available" for the tenant to reclaim the property. The landlord cannot charge the tenant a fee for storing the personal property. This expense can become significant for HABC due to the number of evictions that occur. If HABC stores the property in the unit, the 10-day period interferes with HABC's ability to promptly start the work to turn the unit.

In addition, the provision of the proposed legislation that states if the landlord sells the property the tenant is entitled to any proceeds of the sale that exceeds back rent, or damage fees presents a logistical problem. For example, if HABC disposes of the personal property by selling it after the 10-day period, the former tenant could question as to whether the amount of any proceeds would exceed the amount of back rent, damages, etc. Also, HABC does not get a forwarding address from a tenant who has been evicted, making it challenge to even know where to send the proceeds or make any communication about the sale.

On a final note, SB 442 allows the landlord to dispose of trash, perishable items, and hazardous materials without storing them. However, the bill gives the tenant a cause of action and remedies if the court determines that the landlord violated the law. Giving the tenant a cause of action can have the effect of increasing the number of cases a tenant may bring against HABC, even if HABC did not violate the law.

In sum, for these reasons HABC request further review and discussions of SB 422 - Tenant Possessions Recovery Act to find a suitable solution for both landlords and tenants.

Respectfully submitted:

Janet Abrahams, HABC President & CEO

sb442.pdf

Uploaded by: Will Vormelker

Position: INFO

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

SUZANNE PELZ, ESQ.
SNR. GOVT. RELATIONS AND
PUBLIC AFFAIRS OFFICER
P: (410) 260-1523

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 442
Real Property – Landlord and Tenant – Procedures for Failure to
Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant
Possessions Recovery Act)
DATE: January 29, 2025
(2/6)

INFORMATIONAL COMMENT PAPER

The Judiciary takes no position on this bill, acknowledging that its subject matter is within the legislature's prerogative to set public policy. We write to provide information for the Committee's consideration.

On page 11, lines 16-19, the bill authorizes local jurisdictions to enact legislation governing landlords and tenants, posing a risk of inconsistency with state law governing same. Additionally, on page 7, lines 29-30, "summary ejectment case number" specifically delineates a certain case type while the bill appears to cover other case types as well. Further, on page 8, lines 2-3, and on page 9, the bill references the District Court, but the circuit courts, on appeal from the District Court, also hear these cases. The language could simply be changed to "the court."

cc. Hon. Charles Sydnor
Judicial Council
Legislative Committee
Kelley O'Connor