

PJC HB 1076 SB Crossover FAV.pdf

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Position: FAV



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HB 1076: Residential Real Property - Landlord and Tenant - Notice of Landlord Entry

Hearing before the Senate Judicial Proceedings Committee on March 26, 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 HB 1076** as it is a critical measure to ensure that our returning Maryland residents are given an equitable opportunity to secure housing.

HB 1076 closes a significant gap in Maryland's landlord-tenant laws. Unlike 38 other jurisdictions, including the District of Columbia and Virginia, Maryland does not have any state law that addresses when a landlord may enter a residential property.¹ This gap in the law leads to unnecessary disputes between landlords and tenants. By closing this gap, we can create a more safe and harmonious rental experience for both landlords and tenants.

HB 1076 requires that Landlords will need to provide 24 hours' notice to tenants prior to entry, except in the case of genuine emergencies. It further provides that in most circumstances, a landlord must enter during normal daytime hours and for a specific legitimate reason.

Maryland law specifies that a lease for real property contains an implied covenant of quiet enjoyment unless otherwise specified.² **However, this is oft challenged by landlords who view their rented out homes as their sole possessory interest and do not respect the tenant's interest nor their privacy.** Too many times, the PJC has represented tenant clients who have regaled us with stories of landlords inappropriately coming to the property unannounced demanding access to the unit without any kind of reason. Many times, landlords will just show up to the property and let themselves in causing increased frustration and tension between the two parties.

In addition, in most breach of lease cases or cases where the rental licensing of the property is an element for adjudication, notice of and denial of access to the property is a very important element of the case. By creating this 24 hour standard, no longer will the Court be forced to decide what is a reasonable amount of time of notice to enter the tenant's home. **HB 1076** will help landlords, tenants, and the Courts to avoid conflict by setting a clear standard of notice and acceptable purposes for entry.

¹ Prince George's County has its own local law regarding this issue. See Prince George's County Code § 13-155.

² Maryland Real Property Article § 2-115.

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.

Should a landlord or the landlord's agent violate these provisions, a tenant will be able to seek an injunction ordering the landlord to stop as well as monetary damages. This enforcement mechanism ensures that there are meaningful consequences for violation of the law. Additionally, tenants will be required to provide access within 24 hours of alleging a housing code violation. This ensures that landlords are able to access properties in a timely fashion to rectify tenants' concerns.

Out of 50 states and the District of Columbia, 38 jurisdictions have laws addressing when a landlord may enter a rented property. Other jurisdictions have these laws because they simply make sense. We urge you to add Maryland to this list and issue a favorable report on **HB 1076**.

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Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB1076

Residential Real Property - Landlord and Tenant - Notice of Landlord Entry

Bill Sponsor: Delegate Terrasa

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB1076 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.

Having lived in apartments, I always felt at risk of the prospect of a landlord or their agent entering my home without my knowledge or worse, while I was in my home. This bill requires landlords to provide tenants with written notice at least 48 hours in advance before entering a leased premises, except in emergencies. The notice must include the date, approximate time, and specific purpose of entry.

HB1076 aims to solve the lack of adequate notice for tenants when landlords intend to enter their leased premises. Moreover, this bill limits the purpose of these visits to the maintenance and leasing of the property. By mandating this advance notice, the bill seeks to protect tenants' privacy and ensure they are adequately informed about when and why their landlord will enter their home. Clearly, this legislation will address privacy concerns, disruptions, and potential conflicts between landlords and tenants.

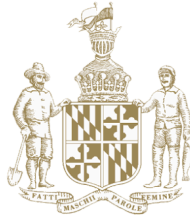
The benefits to Marylanders are significant. First, it enhances tenants' privacy and peace of mind by ensuring they are informed about landlord entries. This fosters a more respectful and transparent relationship between landlords and tenants. Additionally, it provides legal recourse for tenants if landlords fail to comply with the notice requirements, empowering tenants to protect their rights.

The Maryland Legislative Coalition wholeheartedly supports this bill and others like it that foster privacy and security for Marylanders. We recommend a **FAVORABLE** report in committee.

Sponsor Testimony HB1076 (JPR).docx.pdf

Uploaded by: Jen Terrasa

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

March 24, 2025

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

From: Delegate Jen Terrasa
District 13, Howard County

Re: Sponsor Testimony in Support of HB 1076 - Residential Real Property - Landlord
and Tenant - Notice of Landlord Entry

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

Thank you for the opportunity to present HB 1076, which protects tenants and makes landlord tenant interactions more predictable by specifying when landlords are allowed access to a tenant's premises and what notice is required.

What problem is this bill trying to solve?

When a landlord rents a property, they contractually grant the tenant the exclusive right to occupy the property. Tenants reasonably believe that they are entitled to privacy in exchange for their obligations under the lease. That is, tenants are entitled to reside in their homes without undue interference from the landlord or third parties.¹

Common sense dictates that there are some situations in which a landlord may need to enter a rented property. For example, it makes sense for a landlord to enter in an emergency for the health, safety, and welfare of the tenant or other tenants and staff. In addition to emergency situations, the landlord may need to access the premises for the purposes of repairs, inspections, or showing the unit to a prospective tenant or buyer. Other than in emergency circumstances, such visits are generally not of an urgent nature and can and should be scheduled in advance, and the tenant should be given reasonable notice.

¹ Maryland law specifies that a lease for real property contains an implied covenant of quiet enjoyment unless otherwise specified. Maryland Real Property Article § 2-115.

Currently, while some counties offer some guidance about what is reasonable in these situations,² Maryland does not have a statewide law that addresses landlord entry. This gap in the law can lead to problems that range from inconvenience to awkward to completely inappropriate. For example, folks may be in the middle of a family meal or a bedtime routine, the person could be having a work meeting or date night. Even more disturbing are accounts of landlords who suspiciously enter the property repeatedly when a lone female tenant is showering or undressed.

Beyond inconvenience, outright inappropriateness, or danger, a major problem with this lack of clarity in the law is that it allows landlords to raise as a defense in a rent escrow case, the tenant's supposed "refusal" to allow the landlord entry into the property. This interferes with one of the few remedies tenants have when a landlord refuses to perform necessary repairs (which is escrowing rent money) and gives unscrupulous landlords an excuse for that inaction.

HB1076 addresses this problem

House Bill 1076 will help landlords and tenants avoid conflict by setting a clear standard of notice and acceptable purposes for entry. It does this by specifying that landlords can only enter leased residential premises in the event of an emergency or if the tenant gives specific permission to enter the property sooner. For all other purposes, such as maintenance or repair, or to show a soon to be vacated unit to a potential renter, the tenant has been given notice at least 24 hours in advance, and landlords may only enter between 7 am and 7 pm.

Many landlords recognize that it benefits them to have clear rules communicated to tenants regarding landlord entry into a rented property. For this reason, residential leases often contain a provision governing when the landlord may enter.

Out of 50 states and the District of Columbia, 38 jurisdictions have laws addressing when a landlord may enter a rented property. They have these laws because they simply make sense. It's time for Maryland to join them.

I respectfully urge a favorable report on House Bill 1076.

² Prince George's County has its own local law regarding this issue. See Prince George's County Code § 13-155.

HB 1076 - FAV - SENATE.pdf

Uploaded by: Jennifer Mercer

Position: FAV



HB 1076 - Residential Real Property - Landlord and Tenant - Notice of Landlord Entry
Hearing before the Senate Judicial Proceedings Committee
March 26, 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.

House Bill 1076 closes a significant gap in Maryland’s landlord-tenant laws. Unlike 38 other jurisdictions, including the District of Columbia and Virginia, Maryland does not have any state law that addresses when a landlord may enter a residential property.¹ This gap in the law leads to unnecessary disputes between landlords and tenants. By closing this gap, we can create a more safe and harmonious rental experience for both landlords and tenants.

House Bill 1076 balances the privacy rights of tenants with the needs of landlords to occasionally access a rented property. Landlords will need to provide 24 hours’ notice to tenants prior to entry, except in the case of genuine emergencies. House Bill 1076 further provides that in most circumstances, a landlord must enter during normal daytime hours and for a specific legitimate reason. These common-sense provisions will help both landlords and tenants during the term of a rental lease.

When a landlord rents a property, they contractually grant the tenant the exclusive right to occupy the property. Tenants reasonably believe that they are entitled to privacy in exchange for their obligations under the lease. Indeed, Maryland law specifies that a lease for real property contains an implied covenant of quiet enjoyment unless otherwise specified.² This means that tenants are entitled to reside in their homes without undue interference from the landlord or third parties.

Many of PBRC’s clients report that their landlords intrude or attempt to intrude into their homes without providing any notice at all. This often occurs in the context of rent escrow cases, which are legal actions allowing tenants to enforce their right to safe and habitable housing. When a tenant takes their landlord to court, the landlord can easily escape accountability for neglect of their properties by simply claiming without evidence that they were unable to make repairs because the tenant did not allow access. Since landlords need not provide notice before entering under current law, tenants can find themselves surprised when their landlords are knocking at the door out of the blue. This is particularly burdensome for single parents and tenants who work from home. It is not surprising that this behavior leads to conflict between tenants and landlords.

Sometimes, a landlord’s repeated unexpected demand for access can take a more nefarious turn. A Staff Attorney at PBRC recently represented a client whose unlicensed landlord was attempting to evict her illegally. This client is a young

¹ Prince George’s County has its own local law regarding this issue. See Prince George’s County Code § 13-155.

² Maryland Real Property Article § 2-115.

woman who is a part of a small faith community. Her religious leader was also her landlord. In addition to the attempted illegal eviction and overall neglect of the property, he frequently would demand access to her room, which did not even have a locking door, when she was in a state of undress. This violated not only her basic right to human dignity but her sincerely-held beliefs regarding modesty between men and women. This client also confirmed to us that another young woman in her building had similar complaints. Our attorney had to advise her of the lack of protections under Maryland law against this sort of intrusion by landlords. When our attorney wrote to the landlord to caution him against his many violations of Maryland's landlord-tenant laws, she additionally notified him that her client demanded that this harassment stop. Notably, when the landlord later called the attorney to discuss the letter, he did not deny that he had perpetrated this unconscionable behavior.

Common sense dictates that there are some situations in which a landlord may need to enter a rented property. These include entry for the purposes of repairs, inspections, or showing the unit to a prospective tenant or buyer. Such visits are not of an emergent nature and can be scheduled in advance. Many landlords will inform tenants of these visits in advance, but some do not. This can lead to conflict when a tenant is surprised by a landlord's visit, especially if the tenant works from home or takes care of children. And unfortunately, sometimes the surprise nature of a landlord's visit can take an unsavory turn, such as when a landlord repeatedly enters a rented property when a tenant is in a state of undress.

House Bill 1076 will help landlords and tenants avoid conflict by setting a clear standard of notice and acceptable purposes for entry. Importantly, House Bill 1076 contains an exception for emergent situations. No one wants to see a landlord prohibited from intervening when there is a true emergency, so the bill makes this exception.

Many landlords understand that it benefits them to have clear communication with tenants when there is a need to enter a rented property. For this reason, residential leases often contain a provision governing when the landlord may enter. Landlords, especially larger entities with their own attorneys writing their leases, often do this in the absence of a statutory requirement because they know it makes sense for them.

Should a landlord or the landlord's agent violate these provisions, a tenant will be able to seek an injunction ordering the landlord to stop and seek monetary damages. This enforcement mechanism ensures that there are meaningful consequences for violation of the law. Additionally, tenants will be required to provide access within 24 hours of alleging a housing code violation. This ensures that landlords are able to access properties in a timely fashion to rectify tenants' concerns.

Since House Bill 1076 was introduced in the House, it has been amended to ameliorate concerns that landlord groups had about some of its provisions. The window of required notice has been shortened from 48 hours to 24, the timeframe for entry has been expanded, and the exception for emergent situations has been clarified. In the interest of creating legislation that works for all parties concerned, PBRC has not opposed these amendments. Our goal is to create a more harmonious relationship between tenants and landlords.

Out of 50 states and the District of Columbia, 38 jurisdictions have laws addressing when a landlord may enter a rented property. Other jurisdictions have these laws because they simply make sense. We urge you to add Maryland to this list and issue a favorable report on House Bill 1076.

PBRC urges a FAVORABLE report on HB 1076.

Please contact Katie Davis, Director of PBRC's Courtroom Advocacy Project, with any questions.

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CLS Support for HB1076 in JPR - Notice of LL Entry

Uploaded by: Lisa Sarro

Position: FAV



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Karen Zayas

HB1076 – Residential Real Property – Landlord and Tenant – Notice of Landlord Entry Judicial Proceedings Committee Hearing March 26, 2025

Position: FAVORABLE

To the Honorable Members of the Judicial Proceedings Committee:

[Community Legal Services](#) (CLS) strongly supports HB1076, which would require landlords to provide tenants with at least 24 hours’ written notice before entering a rental property, except in cases of emergency.

Community Legal Services (CLS) is a nonprofit organization that provides free legal services in a broad range of substantive areas to individuals and families who meet income-eligibility restrictions. Our organization is committed to promoting family and community stability and success by providing high quality legal representation for individuals and families who otherwise would not have access to justice and due process.

Why is There a Need to Legislate What Should Be Common Sense and Common Courtesy?

CLS has a very robust housing practice. We represent thousands of tenants every year, many of whom are low-income, elderly, or disabled. While one would expect landlords to provide reasonable notice before entering a tenant’s home out of common courtesy and respect, our experience has shown that this is often not the case. Far too many tenants suffer from intrusive, unannounced, and even abusive entries by landlords, which create fear, stress, and insecurity in their own homes.

Our clients regularly report experiences of their landlords enter a tenant’s entering their homes without reasonable or any notice. **Improper entries generally occur in two troubling ways:**

1. Harassment and Intimidation. Some landlords use their access to stalk and harass tenants, particularly those who are vulnerable, including tenants living alone, elderly tenants, and those with disabilities. Unfettered access allows landlords to weaponize their control over a tenant’s living space, making them feel frightened and unsafe in their own home.

2. Manipulation of Maintenance Issues. When tenants report unsafe or uninhabitable conditions, some landlords show up unannounced in response, claiming they are there to make repairs. If the tenant is unavailable or unable to allow access on short notice – perhaps because they are at or are scheduled for work or have childcare obligations - the landlord may then blame the tenant for failing to cooperate, using this as a pretext to evade responsibility for necessary repairs. In some cases, landlords have even turned this into a basis for retaliatory eviction, claiming that the damage to the property was caused or exacerbated by the tenant’s refusal to grant entry.

This is not purely hypothetical. Just last week one of our clients, in the process of a rent escrow case, was accused of refusing necessary repairs because she asked for time to change her clothes before allowing entry to the repairman who arrived unannounced, early in the morning. Another recent client asked for help because her landlord’s agent kept bringing prospective buyers to tour the property on little to no notice. This is not unusual.

While we prefer the original version of this bill with a requirement of 48 hours’ advance notice, even a requirement of 24 hours’ advance notice ensures that tenants have a chance to plan ahead, be present if they choose, and feel secure in their homes. This policy is in line with the reasonable expectations that any homeowner would have and does not impose an undue burden on landlords. Additionally, HB 1076 strikes an appropriate balance by allowing landlords immediate access in cases of emergency where the safety of the property or its occupants is at risk.

Providing an Avenue for Court Protection is Necessary

Equally important to the advance notice requirement is the provision in HB 1076 that allows tenants to seek injunctive relief to prevent unauthorized entry by their landlord. **Without an enforcement mechanism, tenants who experience repeated unauthorized intrusions have little recourse beyond escalating conflict with their landlord or feeling forced to leave their home.** By allowing tenants to seek a court order to stop these violations, the bill provides a crucial tool to ensure that tenants’ rights are not just theoretical, but practically enforceable. This protection is particularly vital for tenants facing harassment, as it empowers them to take action before a situation escalates into one that threatens their safety or forces them out of their home.

Conclusion

HB 1076 is a common-sense measure that upholds tenants’ basic rights to privacy and security in their homes. It ensures that landlords cannot use surprise entries as a means of harassment, intimidation, or retaliation while still allowing flexibility in cases of genuine emergency.

For these reasons, CLS urges the Committee to give a favorable report to HB1076. Please contact Jessica Quincosa, Executive Director, and Lisa Sarro, Director of Litigation & Advocacy, with any questions at quincosa@clspgc.org and sarro@clspgc.org, respectively.

HB1076 - Senate JPR - Maryland Legal Aid - FAV.pdf

Uploaded by: Zafar Shah

Position: FAV



House Bill 1076

Residential Real Property - Landlord and Tenant - Notice of Landlord Entry

Hearing in the Senate Judicial Proceedings Committee
On March 26, 2025

Position: FAVORABLE

Maryland Legal Aid submits its written testimony on HB1076 at the request of bill sponsor Delegate Jen Terrasa.

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 12 offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, including for Marylanders struggling with substandard housing conditions. We urge the Committee's favorable report on House Bill 1076.

Maryland law does not prescribe the reasonable amount of notice a tenant is due when their landlord seeks to enter the rental unit. This gap in the law sets Maryland apart from 38 other jurisdictions, including neighboring District of Columbia and Virginia. HB1076 will fill a gap in the law that otherwise leads to conflicts between landlords and tenants.

HB1076 requires landlords to provide 24-hour written notice to tenants prior to entry, except in emergency scenarios in which the landlord must "ensure the imminent protection or preservation of the property or the imminent protection and safety of any occupants." The bill also allows for electronic notice – by text message, e-mail, or web portal – if a tenant has opted into that method of delivery.

Tenants reasonably believe that they are entitled to privacy under the terms of their lease, even when the landlord or an agent of the landlord desires to intrude on that privacy. Indeed, Real Property Art. § 2-115.8 states that a "covenant of quiet enjoyment applies to residential, as well as commercial, leases." This covenant requires landlords to take affirmative steps to avoid undue interference with the tenant's possession of the rental property.

In many of MLA's cases, landlords provide our clients only a few hours' notice, typically over text message, and when our clients are unable to allow entry, they face accusations of unreasonably refusing the landlord's access. In other instances, our clients find that the landlord or its contractors entered the property despite knowing they would not be home. In many instances, our clients' children have been unable to prevent the landlords' or contractors' entry, thereby exposing these children to uncomfortable interactions with unfamiliar adults outside the presence of their parents.

HB1076 will set a clear standard of notice that reduces conflict and promotes clear expectations of conduct. Importantly, too, the bill includes enforcement provision by which a tenant may seek damages or an injunction against a landlord that refuses to follow notice requirements.

For all these reasons, Maryland Legal Aid urges the Committee's **FAVORABLE** report on House Bill 1076.

If you have any questions, please contact:

Zafar Shah, Advocacy Director for Human Right to Housing
(443) 202-4478
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MMHA - 2025 - HB1076 as amended.pdf

Uploaded by: Matthew Pipkin

Position: INFO



House Bill 1076

Committee: Environment and Transportation

Bill: House Bill 1076 – Residential Real Property - Landlord and Tenant - Notice of Landlord Entry

Date: 3/26/25

Position: Informational as amended

The Maryland Multi-Housing Association (MMHA) is a professional trade association established in 1996, whose members house more than 538,000 residents of the State of Maryland. MMHA’s membership consists of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities and more than 250 associate member companies who supply goods and services to the multi-housing industry.

As amended, House Bill 1076 (“HB 1076”) mandates that landlords provide tenants with at least 24 hours' written notice before entering a leased residential property, except in emergencies as defined. The notice must specify the date, approximate time, and purpose of entry, and can be delivered via first-class mail, a notice affixed to the door, or electronically if the tenant consents. Landlords are permitted to enter only between 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless otherwise agreed upon in writing by the tenant. Violations of these provisions may result in injunctions or damages for breaching the tenant's right to quiet enjoyment.

As amended, HB 1076 codifies industry-standard business practices that are currently included in the majority of lease agreements. For informational purposes, if this legislation is enacted as amended, MMHA would request liberality in the implementation of this bill as housing providers become aware and work to comply. A housing provider acting to good faith to address maintenance issues, or to protect tenants in emergency situations, should not be penalized for doing so. Additionally, there will be an administrative burden on the housing providers as they need to document and provide proof of notice delivery under HB 1076. For larger housing providers that manage a multitude of units across multiple properties, this may become exceptionally burdensome. This may lead to increased operational costs and slow operations.

Please contact Matthew Pipkin, Jr. at (443) 995-4342 or mpipkin@mmhaonline.org with any questions.