

## SB46 – REAL PROPERTY – WRONGFUL DETAINER ACTIONS

### HEARING BEFORE THE HOUSE JUDICIARY COMMITTEE

3/25/2025

#### POSITION: OPPOSED

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Shore Legal Access (formerly Mid-Shore Pro Bono) strongly opposes SB 46 because it would deny residents of their constitutional rights in a “wrongful detainer” eviction process – and could result in an eviction mere days after filing a complaint. This bill doesn’t just apply to squatters. SB 46 would have the unintended consequence of evicting lawful residents who would not have a meaningful chance to challenge the eviction. **This means more homelessness for survivors of domestic violence when the abuser files for eviction; more homelessness for lawful tenants subjected to predatory landlords; and more homelessness for families caught in rental scams.** We strongly oppose this violation of due process rights of tenants on the Eastern Shore.

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 more favorable outcomes for tenants in nearly every case.



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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.

We oppose SB46 because this legislation is unnecessary and it undercuts existing protections and due process for tenants under Maryland's Wrongful Detainer law. **SB46 does not require the Plaintiff to name the Defendant even when known AND allows entry of money judgment even without personal service. No other case allows for entry of a money judgment unless the Defendant has been personally served. SB46 provides no adequate notice of a trial date (4 days is not adequate notice) and allows for eviction before the time for appeal has expired.**

We have represented several clients under Maryland's Wrongful Detainer statute and the process works when judges decide whether occupants of real property have a legal right to remain on the property. In one case, our client was scammed when she rented a house for 11 months from a person claiming to be an agent for a property owner who fraudulently signed a lease claiming to be a representative of the actual owner. The actual owner filed a Wrongful Detainer against our client and we were able to assist our client and resolve the case. If the actual owner did not have to file a Wrongful Detainer action in District Court, we may not have been contacted and our client's due process rights would have been denied to our client.

SLA strongly opposes SB46 and urges the Committee's unfavorable recommendation on this bill. If you have any questions regarding our position on this bill, please contact Meredith Girard, Executive Director at 410.690.8128 or e-mail [mgirard@shorelegal.org](mailto:mgirard@shorelegal.org).

