



BILL NO: Senate Bill 46 – Cross over
TITLE: Criminal Law - Fraud - Possession of Residential Real Property
COMMITTEE: Judiciary
HEARING DATE: March 25, 2025
POSITION: **OPPOSE**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the COMMITTEE report unfavorably on SB 46.**

Senate Bill 46 would alter the method and procedures in wrongful detainer cases. Wrongful detainer is an action by which a plaintiff can seek to have someone they allege does not have ownership of real property to be removed from the property. MNADV did not take a position on the original bill, but we have some grave concerns as it has been amended and fear this new approach would lead to victim/survivors of domestic violence being ousted from where they are staying and being rendered homeless.

As now drafted, the very fast timeline from filing to the sheriffs removing someone is difficult for someone to maneuver through to maintain safety. Added to this, basic tenets of notice and an opportunity to be heard have been stripped of the process, and money judgments can be rendered against a defendant as well.

Intimate partner violence, domestic violence, is about power and control. Many survivors of domestic violence are financially dependent on their abuser, often by the latter's design. This dependency often traps survivors in abusive relationships, making it difficult for them to seek help or escape. Also, coping with abuse can lead to poor rental, credit, and employment histories that make it hard for survivors to qualify for rental housing. Abusers often work to cut off or alienate their partners from their friends and family, weakening or eliminating survivors' supportive social networks. This can leave women without the option to stay with someone they know. In addition, domestic violence shelters are often at capacity, especially during winter, leaving women with few housing alternatives. To enable an abuser to use the court system and this new version of wrongful detainer against them puts survivors at great risk.

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We commend the Committee to read the testimony from Renter's United Maryland which offers details as to why SB 46 as amended will be damaging.

For the above stated reasons, the **Maryland Network Against Domestic Violence** urges an **unfavorable report on SB 46.**