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SB 46: Real Property – Wrongful Detainer
Hearing in the House Judiciary Committee, Mar. 25, 2025

Position: OPPOSED (UNF)

Public Justice Center is a part of Renters United Maryland, which strongly opposes SB 46. SB 46 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 bill because we see first-hand the ways in SB 46 would empower predatory property owners to evict people who have meritorious defenses to an eviction. [A Baltimore Banner article about one of our clients, Christina Cikins, is attached.](#) Ms. Cikins and six other elderly or disabled tenants had been living in a home in Baltimore City for years, paying rent each month. A new owner recently purchased the property, and even though the new owner knew that there were seven elderly or disabled tenants in the home, he decided that he did not want to maintain the property and filed a complaint for Wrongful Detainer. The new owner thought that since he hadn’t signed a lease, the residents were not tenants, which is completely wrong under the law. See Md. Code, Real Prop. § 8-101. Even with the current insufficient wrongful detainer process, our client did not know about the case until they received an eviction notice. We filed an emergency motion to stay the eviction with the court which was granted on the day that the eviction was supposed to take place.

If SB 46 were enacted, this unscrupulous owner would have even more leverage to abuse the wrongful detainer process and evict Ms. Cikins. He would not be required to name Ms. Cikins even though he knows her name. He could obtain a judgment within four days of filing a complaint and an eviction in 5 days. Ms. Cikins would be even less likely to receive notice of a court date before the hearing, and she certainly would not have had time to seek legal representation prior to trial. The appeal period would only be four days, and she could be evicted before those four days had even passed. The owner could obtain a money judgment

against Ms. Cikins even though he had never personally served her with the complaint – unlike any other civil action of which we are aware. **SB 46 strips virtually every semblance of due process from wrongful detainer actions and will result in unjustified evictions for renters like Ms. Cikins.**

[SB 46 falls in line with the agenda of the American Legislative Exchange Council – ALEC](#) – a corporate-funded think tank that works on legislation to undermine our civil liberties and directly benefit their corporate members. Such legislation has been [championed by Florida Governor Ron DeSantis](#) – which led to an [eviction within days for senior-citizen renters](#) who had paid rent and lived in their homes for years.

Without notice and an opportunity to be heard, our legal system becomes about the rule of the powerful instead of the rule of law. SB 46 sets a dangerous precedent that would erode due process for all Maryland residents when our constitutional rights are already under attack.

SB 46:

1. **Does not require the Plaintiff to name the Defendant even when known AND allows entry of money judgment even without personal service.** SB 46 does not require the Plaintiff to name the Defendant even when they know the resident's name (p.3, line 31) (violating Rule 1-301), yet allows the Plaintiff to obtain a money judgment against the Defendant even if the Defendant never received personal service of the complaint (p. 4, deleting (g)(2)(ii)). **No other case allows for entry of a money judgment unless the Defendant has been personally served.**
2. **No adequate notice of trial date.** Provides for trial only 4 days after filing of the complaint (p.4 adding (d)(6)) – before service by posting and first-class mailing by the Sheriff can even be completed. If the complaint is filed on a Monday, trial could occur on a Friday regardless of when the complaint was served. Residents need to be notified of the trial date with time to get a lawyer, take off work, and prepare their defense. First-class mail alone can take more than one week to arrive.
3. **Eviction before appeal period expires** (p.4 in (g)(1)(ii)). SB 46 commands the Sheriff to evict the tenant immediately upon judgment before the appeal period has expired. SB 46 allows eviction before the tenant can file an appeal.
4. **Plaintiff does not have to prove their case if Defendant does not appear** (p.5, line 6). In every other case, a Plaintiff must prove their claim.
5. **Shortening appeal period to 4 days.** (p.4, (j)(3)). This does not provide either party enough time to seek legal counsel for an appeal.

When the federal government is taking away constitutional rights from residents every day, Maryland should be protecting due process for all residents!

Predatory landlords will abuse the expedited nature of this process to evict tenants that they

know are not squatters. And landlords who threaten to report tenants as squatters will prompt plenty of tenants to vacate – even if that means homelessness – for fear of having the police called to their residences. Wrongful detainer actions are also used and abused by parties involved in domestic disputes. All of these bad actors will be emboldened by a sham process that does not provide the defendant meaningful notice and a meaningful opportunity to be heard prior to terminating their right to possess the home.

[Up to 25% of families who are evicted become homeless.](#) Becoming homeless is even more likely for residents evicted after a rental scam because those residents are often the most desperate for affordable housing. Homelessness has a devastating impact, leading to [negative education outcomes for children, increased foster care, job loss, and poor health outcomes.](#)

SB 46 will have a disparate impact on Black, woman-led households. Maryland's long history of housing segregation and discriminatory policies mean that Black and Brown Marylanders are much more likely to be renters and at risk of eviction, and therefore more likely to be most in need of affordable housing and victims of rental scams. [73% of MD households that obtained eviction prevention funds in the pandemic's wake identified as Black, and 71% identified as being woman-led.](#)

There is no data to support this bill. The General Assembly should conduct a summer study. This Committee is operating in a total absence of data related to Wrongful Detainer and the prevalence of squatting. How long does it take for a wrongful detainer complaint to be heard in court? How long from judgment to eviction? What best practices could sheriffs and courts adopt in wrongful detainer cases? How can Maryland better assist victims of rental scams?

Public Justice Center is a member of Renters United Maryland, which strongly opposes SB 46 and urges an **unfavorable report**.

How bad is Maryland's housing affordability crisis? Ask this Baltimore couple.

Hallie Miller

2/11/2025 5:30 a.m. EST

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Christina Cikins and her fiancé, David Edge, at their home in Baltimore. They are facing homelessness after receiving an unexpected eviction notice. (KT Kanazawich for The Baltimore Banner)

On a Wednesday afternoon, around 3 p.m., Christina Cikins hangs up her phone. Another marathon call with social services.

Every benefits check for food stamps and cash assistance is more precious than the last. It's the steadiest cash flow for her and her fiancé, David Edge. Stretching each payment is more challenging lately: [heat](#), fuel, [eggs](#). Everything costs more.

For this couple, it's about to get harder. They soon must leave the three-story East Baltimore rowhouse where they share the \$1,500 rent with five roommates. And they haven't been able to find a place to live.

They've run smack into the region's — the nation's — housing affordability crisis.

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The U.S. lacks about 7.3 million homes for renters with extremely low incomes, according to estimates from [the National Low Income Housing Coalition](#). No state has enough homes to bridge this gap. Maryland pegs its overall shortfall at around 96,000 houses, with about one-third missing in the Baltimore area.

In the last year, affordable housing and taxes have overtaken crime as Marylanders' top problems, according to a [January Washington Post-University of Maryland poll](#).

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Jan 29, 2025



Low housing supply is often cited as the culprit behind the affordability crisis, but other factors also play in. Last month, Maryland Attorney General Anthony Brown and the U.S. Department of Justice filed lawsuits alleging that large rental companies have colluded to keep prices high. (KT Kanazawich for The Baltimore Banner)

For about two years, Cikins, 45, and Edge, 55, could make it work in the East Baltimore rowhouse. Then last year it changed hands, and in an eviction filing the new owner accused the tenants of “squatting” illegally, a description they strongly disagreed with. A pro bono attorney helped Cikins and Edge negotiate an extended move-out.

But time is ticking. Another rental? They can’t find one they can afford or that will take them both.

Some landlords want tenants who earn three times the rent. Cikins shakes her head; she receives about \$1,000 a month in benefits. Her disabilities keep her from employment, and Edge’s work as a landscaper is slow in the winter. He’s struck out finding other jobs. Other landlords have rejected them based on their credit scores (“It’s not that we have low scores,” she said. “We have no scores.”)

Buy a place? Fat chance. The median price for a home in Baltimore [has reached a high of \\$220,000](#). Property taxes [have only gone one way](#), up, in a decade. Forget about the surrounding counties.

The couple got together later in life, after the death of Cikins' longtime partner and in Edge's newfound sobriety. Both have fallen on hard times, clawed themselves out of the depths. They found love on the other side.

But an unforgiving economy keeps creeping in on their happy ending. Medical bills from Cikins' health conditions, including lupus, pile up. A bout of COVID-19 left them both on shakier footing.



Christina Cikins' disabilities keep her from employment, and Edge's work as a landscaper is slow in the winter, making it difficult for the couple to find alternative housing. (KT Kanazawich for The Baltimore Banner)

They survived being hit by a car in 2023 while out walking, holding hands, on Broadway and Lanvale Street. Cikins went by ambulance to the Maryland Shock Trauma Center, lost bits of her teeth and endured months of physical therapy.

Now their one constant, a place to live that they can afford, is evaporating.

More than half of Maryland renters are “cost burdened,” paying more than 30% of their incomes on rent, according to state estimates. In Baltimore, the waitlist for public housing vouchers had swelled to [nearly 40,000 people as of fall 2023](#). Property conditions in such a tight market can [fall by the wayside](#).

Low housing supply is often cited as the culprit behind the affordability crisis — or, not enough homes, especially in the areas people want. But there are other factors. Last month [Maryland Attorney General Anthony Brown](#) and [the U.S. Department of Justice](#) filed lawsuits alleging that large rental companies have colluded to keep prices high.

Cikins wonders if nearby development got her landlord thinking about whether he could make some money. In October, he paid twice the home’s assessed value, Maryland records show.



A hole in the roof is causing leaks in Christina Cikins’ rental, which she says led to water damage and mold. (KT Kanazawich for The Baltimore Banner)

Maryland installed [a host of new tenant protections](#) last year, imposing strict limits on security deposits, for example, and raising the eviction filing fee.

This year, some state lawmakers seem to be rowing in a different direction. They’ve filed several bills that would hasten evictions for the so-called “squatters,” allowing sheriffs to immediately remove some tenants without a judge’s sign-off. Opponents called such proposals “constitutionally insufficient” at a January bill hearing and said the state could be liable for any due process violations.

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Soon after he bought the home, Cikins' landlord replaced the tenants' refrigerator, she said, and collected their money. She wishes she had held onto that cash. The landlord filed eviction papers in November, a move the tenants learned about later.

She and her fiancé have until the end of April to solve their housing puzzle.

"We have nowhere to go," she said. "Absolutely nowhere."



The U.S. lacks about 7.3 million homes for renters with extremely low incomes, according to estimates from the National Low Income Housing Coalition. Maryland pegs its overall shortfall at around 96,000 houses, with about one-third missing in the Baltimore area. (KT Kanazawich for The Baltimore Banner)

No family members can take them in. Cikins has considered the shelters, but most are single-sex. They'd both rather live on the street than be apart.

The two live modestly. They don't party, they keep their space clean, and they rarely have guests.

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They had hoped to get married this past October in Ocean City, at a Tyler Childers concert. All that is on hold now. In their room, sealed off from the rest of the world, his music plays on an endless loop.

They've sacrificed quality for affordability in this rooming house. What will the next place look like?

They're together, and they're on their own.

Hallie Miller

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Hallie Miller covers housing in the Baltimore region and beyond for The Baltimore Banner. She previously reported on city and regional services for The Banner's Better Baltimore series.



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