



**Testimony in Opposition to SB 49**  
Real Property - Wrongful Detainer Actions

House Judiciary Committee

March 25, 2025

Dear Honorable Chair Clippinger, Vice Chair Bartlett, and Members of the Committee,

CASA opposes Senate Bill 46- Real Property - Wrongful Detainer Actions. CASA is a national powerhouse organization building power and improving the quality of life in working-class: Black, Latino/a/e, Afro-descendent, Indigenous, and Immigrant communities.

With a membership of over 173,000 members, CASA creates change with its power-building model blending human services, community organizing, and advocacy to serve the full spectrum of the needs, dreams, and aspirations of members. For nearly forty years, CASA has employed grassroots community organizing to bring our communities closer together and fight for justice, while simultaneously providing much-needed services, helping to ensure that low-income immigrants can live rich and full lives. For over decades, CASA has provided legal counsel to Marylanders, including renters facing evictions.

Senate Bill 46 presents a real threat to due process and would exacerbate housing instability in our communities. SB 46:

- **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.**
- **Does not provide 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. Four days from filing of the complaint is not due process.
- **Allows for an 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. An appeal is essential to due process, and SB 46 allows an eviction before the tenant can note an appeal.
- **Allows Plaintiff to 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.

- **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.

CASA is a part of Renters United Maryland, and urges an unfavorable report on SB 46, which would deny renters 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 renters 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.

CASA members are working-class Marylanders, who are often threatened with eviction by unscrupulous landlords when they stand up for their rights to safe housing, legal representation, and a fair day in court. CASA members are directly targeted by SB 46, which allows a landlord to strip away a tenant’s right to their apartment without many due process protections that would allow a tenant to demonstrate to a court that they have a lawful right to be in the property.

Many tenants and residents with the right to reside at a property will be evicted by predatory owners who do not respect their constitutional rights to a fair trial, even if they are renters who otherwise have the right to reside at an apartment complex. CASA has represented many tenants whose landlords have claimed that they were never renters in the first place. In one case, CASA represented a family - mother, father, and their two kids- who had returned home late one evening to discover the door to their apartment locked. The family had nowhere to go and was left on the street for a week before getting legal counsel. They did not even have access to the father’s insulin or their original lease contract, which were now hidden behind closed doors. Their landlord’s reason for eviction was a minor dispute over how much he could charge them for a security deposit - something that could have easily been resolved in court without upending a family’s entire life. The landlord told them they would need to pay \$1,000 before being allowed access to their belongings. After hearing their story, CASA’s legal team contacted the landlord about his unlawful actions, and the family’s right to a fair day in court. The family was given access to their homes and most importantly to life-saving medication.

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 constitutional rights are already under attack.

**CASA strongly opposes SB 46 and urges an unfavorable report.**