



C. Matthew Hill
Attorney
Public Justice Center
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
410-625-9409, ext. 229
hillm@publicjustice.org

SB82: Criminal Law - Counterfeiting and Possession of Counterfeit Lease – Penalty

Hearing before the Senate Judicial Proceedings Committee on Jan. 27, 2026

Position: Unfavorable

Chairman Smith, Vice-Chair Waldstreicher and Committee Members:

Thank you for the opportunity to submit testimony. Public Justice Center respectfully urges an unfavorable report on SB 82.

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. We represent or advise over 800 renter households each year, and we advocate to change laws that further a human right to housing.

We appreciate the intent in SB 82 to [hold accountable the “scamlords” who advertise properties online](#), accept thousands of dollars from families desperate for housing, sign leases with those families, and then disappear after they receive the money. We agree that the General Assembly should take further action to hold scamlords and the social media companies that enable this fraud accountable, and we have specific proposals to do so.

We are concerned, however, that SB 82 is both too broad and vague. First, it criminalizes the “possession” of a fraudulent lease or rental agreement, which could include the occupant-victim of a scamlord operation. Unlicensed landlords and property flippers already abuse the Wrongful Detainer court process to effect a quick eviction of renting families who they don’t want in the property. These same unscrupulous actors will now have a new tool at their disposal: Accuse the renters of possessing a fraudulent lease and swear out charges with the District Court Commissioner to have the renters arrested – thereby accomplishing a *de facto* eviction. SB 82 could be more narrowly tailored to criminalize the act of offering a fraudulent lease only, but this kind of action is likely already covered by existing fraud provisions.

SB 82 is also overly broad because it does not define the terms “lease” or “rental agreement” and could be interpreted to cover any rental of any consumer good including a car rental or movie rental. Given our nation’s long history of over-criminalizing certain behavior in a way that has a disparate impact on Black and brown communities, we urge the Committee to reconsider further expanding the criminal code with

undefined terms. Most of the other items in the list of documents in this provisions of the criminal code are negotiable instruments or recorded deeds. A lease or rental agreement is neither and should be analyzed more thoroughly before criminalizing possession of such a document.

Public Justice Center asks that the Committee **issue a UNFAVORABLE report on SB 82.**