

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1093 (Delegate Roberts)
Environment and Transportation

Landlord and Tenant - Evictions - Tenant's Personal Property and Moving Expenses and Services (Small Landlord Eviction Relief Act)

This bill establishes that if a warrant of restitution is executed in a failure to pay rent, breach of lease, or tenant holding over action (or the equivalent in local law), the personal property of the tenant is deemed abandoned and may be placed in the public right-of-way abutting the property. A county or municipality is prohibited from enacting or enforcing any law or ordinance requiring a landlord to (1) compensate a tenant for moving expenses or (2) provide moving services or supplies to a tenant in connection with a failure to pay rent, breach of lease, or tenant holding over action. The bill’s provisions only apply to a landlord that offers nine or fewer dwelling units. The bill also makes numerous stylistic changes. The bill contains a severability clause and must be construed to apply only prospectively to any failure to pay rent, breach of lease, or tenant holdover action on or after the bill’s effective date. **The bill takes effect July 1, 2025.**

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: Potential minimal increase in local government expenditures, as discussed below. Revenues are not affected.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: “Moving expenses” means costs incurred to (1) pack, unpack, store, or transport personal property; (2) disconnect and install personal property; (3) insure

personal property to be moved; or (4) disconnect or reconnect utilities.

“Moving services” means services for loading, packing, transporting, unloading, or otherwise taking possession or control of personal property to move it to another location.

Current Law: In general, a landlord seeking to evict a tenant must file the appropriate action (*e.g.*, failure to pay rent, breach of lease, etc.) in the District Court. If awarded a judgment by the court, the landlord files a warrant of restitution, which, once reviewed and signed by the court, authorizes an eviction. The warrants of restitution are forwarded to the local sheriff’s office who is then authorized to carry out the evictions. Statute sets forth numerous specific requirements for such actions, including those related to written notice prior to filing certain actions. This includes specific requirements for written notice prior to initiating a failure to pay rent action.

Local Expenditures: Local expenditures may increase minimally to the extent that local governments incur additional costs to remove abandoned property placed in the public right-of-way under the bill. The Maryland Association of Counties notes that placing abandoned property in the public right-of-way can create a serious public safety hazard, including obstructing public view and restricting access to critical areas, necessitating the need to promptly remove and dispose of the abandoned property to eliminate the hazard. The Maryland Municipal League advises that the bill has a minimal impact on local governments.

Small Business Effect: The bill may have a meaningful impact on any small business landlords that may have otherwise incurred certain costs associated with the removal of a tenant’s property.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Association of Counties; Maryland Municipal League; Office of the Attorney General (Consumer Protection Division); Judiciary (Administrative Office of the Courts); Department of Legislative Services

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km/jkb

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