

Sheriff



Sheriff Michael A. Lewis Wicomico County Maryland

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April 2, 2019

Delegate Carl Anderton
Maryland House of Delegates
84 College Ave, Suite 317
Annapolis, MD 21401

A handwritten signature in blue ink that reads "Carl".

Dear Delegate Anderton:

I am writing today to express my concern regarding one of the amendments for HB 1218 as proposed by the Public Justice Center. The House, by a unanimous 142-0 vote, passed HB 1218 with the specific intent to allow a minimum of 14-days' notice issued to a tenant by the landlord from the first filing of the Warrant of Restitution. In doing so, this bill allows the tenant appropriate notification of the eviction date at least 14-days prior to the actual execution of said eviction. Such notice gives more than adequate time to allow the tenant to make payments or plans to safely remove their belongings prior to the eviction.

The Public Justice Center is suggesting the 14-day notice be one which is established as an exact date, no sooner, no later. Their argument states the tenant's "mindset" might not allow them to fully comprehend the gravity of their situation if given an 'open-ended' minimum of 14 days' notice. They profess the tenant needs an exact date in order to better comprehend and appreciate the exact nature of their predicament.

Our purpose in writing today, as the agency charged with executing the Warrant of Restitution, is to assure you as to what we find to be the least onerous and problematic method for our office; while continuing to assure the tenant sufficient time to adequately address their circumstances.

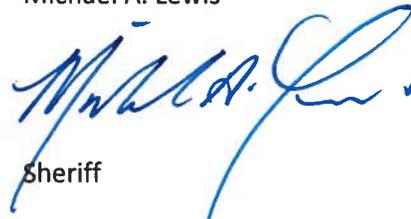
We feel the flexibility of a minimum 14-day provision better addresses the concerns for all. The tenant still has a fair period of time to act, and my office is granted the necessary flexibility to execute our charge. Numerous circumstances can compromise our ability to execute an eviction on an exact date, even if established weeks in advance. Subject to any last-minute emergencies, be it a murder or robbery investigation, drug interdiction, bomb scares in our schools or simply extreme weather conditions or manpower shortages; our office mandates we maintain as flexible a schedule as possible.

Hence, with the mandate of an exact date, as proposed by this PJC amendment, we could find ourselves compromised. This could potentially lead to numerous incidents of missed eviction dates

resulting in Sheriff Office disruptions, confusion amongst tenants and landlords, re-scheduled dates, potential additional court actions, etc.

For the aforementioned reasons, I believe maintaining the existing provision of a more flexible 14-day minimum, is the most beneficial compromise for all concerned. The 14-day minimum provision, as written, is a fair concession to accommodate the tenant, the court, the Sheriff's Office, and the landlord. I ask you, on behalf of the Wicomico County Sheriff's Office, to allow HB 1218 to stand with the existing 14-day minimum provision.

Michael A. Lewis



Sheriff

Wicomico County (MD)