



House Bill 1372 – Real Property – Residential Leases – Repair of Dangerous Defects and Failure to Pay Rent

Position: Oppose

Maryland REALTORS® oppose HB 1372 which creates a new action for tenants against landlords when a dangerous defect exists.

Under current law, a tenant has the right to escrow their rent with the courts in order to compel landlords to correct a serious or dangerous defect. HB 1372 would offer tenants an alternative choice to this remedy by granting them a private right of action against the landlord for specified damages and attorney fees.

The Maryland REALTORS® believe the current law works because it seeks to ensure that a landlord directs his/her resources toward improving the condition of the property rather than toward litigation and attorney fees. In addition to attorney fees, the legislation would permit tenants the right to seek “other economic damages proximately caused” by the condition. This language is unclear and would lead to significant litigation increasing costs that are not related to improving the condition of the property.

Finally, the REALTORS® believe that extending the time period in the law that the court may delay a trial for nonpayment of rent from one day to 14 days is too much. The longer the time that it takes to evict a nonpaying tenant, the more pressure these costs place on rents.

For those reasons, the REALTORS® recommend an unfavorable report.

**For more information contact bill.castelli@mdrealtor.org or
susan.mitchell@mdrealtor.org**