



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

**STATEWIDE
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January 24, 2021

The Honorable Kumar P. Barve
Chairman, Environment and Transportation Committee
House Office Building,
Annapolis, Maryland 21401

**Re: Maryland Legal Aid's Testimony in Support for House Bill 50—
Landlord and Tenant—Tenant Rights and Protections (Tenant
Protection Act of 2021)**

Dear Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 50. Legislation that would provide more adequate protections for tenants, provide transparency when landlords charge for utilities, increase the security deposit statute's clarity, protect tenants' rights to organize, and provide further protections for victims of domestic violence victims.

Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. MLA handles civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining employment, child custody, housing, and a driver's license. This letter serves as notice that Gregory Countess will be testifying on behalf of MLA at Delegate Vaughn Stewart's request.

HB 50 takes steps to improve the fundamental transparency and fairness in the landlord-tenant relationship by requiring landlords to provide clear information regarding utility billing during the tenancy and explanation of charges they seek to assess at the end of the tenancy. The requirement in this legislation that landlords who seek to use a ratio utility billing system fully explain that system in the lease will reduce confusion and increase fairness for tenants. When tenants can see the way charges will be assessed and have documented information, it should resolve disputes, limit confusion, improve accounting and reduce arbitrary charges during the tenancy. Like all contracts under Maryland law, leases should be clear regarding all parties' rights and responsibilities to be fair and enforceable.

The provisions of HB 50 should further improve transparency and reduce disputes by requiring landlords to provide specifics about the costs they are withholding from a tenant's security deposit at the end of a tenancy. A security deposit is meant to provide some security for the landlord to cover damages the tenant's use of the property may have caused. HB 50 provides a clear way landlords must show the actual damages caused by use beyond normal wear and tear. MLA has seen numerous tenants object to unfair costs attributed to damages deducted from their security deposits over the years. With the increased clarity mandated by this bill, fewer disputes and unsupported withholding of security deposits should occur.

In December of 2018, advocates in MLA's Montgomery County office were approached by a group of tenants at a large multifamily property in Takoma Park. The tenants had been facing issues with their new management company since they took over the property management. When the tenants called us, nearly half of the roughly one-hundred-and-twenty units had no reliable hot water. Many of the tenants spoke limited English, and nearly all of them had little to no disposable income. Tenants had difficulties organizing because the Landlord did not make meeting space available for tenants to discuss their concerns and organize. It took the city government's involvement and the imposition of substantial financial penalties to get the property manager to restore hot water to their tenants in the middle of January. While the matter was resolved in the end, it was only because of an unusually well-organized group of individuals and an attentive county official. Many tenants don't have government officials willing to get involved or the wherewithal to overcome barriers to organize. This bill would resolve that problem for residents.

Legal Aid's responsibility is to serve indigent Marylanders' legal needs, but our mission is the advancement of Human Rights and Justice for All. This includes the right to safe and habitable housing. However, it also includes the right to equality before courts and tribunals and the equal protection of the law as enshrined in Articles 14 and 26 of the International Covenant on Civil and Political Rights. HB 50 provides more meaningful protections for a tenant's security deposit by requiring a more detailed accounting of the charges landlords levy a tenant vacating an apartment. It also provides a framework to make it easier for tenants to organize; and provides further protections for those most vulnerable Marylanders suffering from domestic abuse. The bill addresses many critical issues for renters.

For these reasons, Maryland Legal Aid asks this committee for a favorable report on HB 50.

Sincerely,

/s/ Gregory Countess

Gregory Countess, Esq.

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