



MARYLAND LEGAL AID

Advancing
**Human Rights and
Justice for All**

STATEWIDE ADVOCACY SUPPORT UNIT

Cornelia Bright Gordon, Esq.
Director of Advocacy
for Administrative Law
(410) 951-7728
cbgordon@mdlaborg

Gregory Countess, Esq.
Director of Advocacy
for Housing & Community
Economic Development
(410) 951-7687
gcountess@mdlaborg

Anthony H. Davis, II, Esq.
Director of Advocacy
for Consumer Law
(410) 951-7703
adavis@mdlaborg

Erica I. LeMon, Esq.
Director of Advocacy
for Children's Rights
(410) 951-7648
elemon@mdlaborg

Bobbie Steyer, Esq.
Director of Advocacy
for Family Law
(410) 951-7737
bsteyer@mdlaborg

Julianne Kelly Tarver, Esq.
Director
Pro Bono Program
(410) 951-7642
jkelly@mdlaborg

Meaghan McDermott, Esq.
Director
Community Lawyering Initiative
(410) 951-7635
mmcdermott@mdlaborg

EXECUTIVE STAFF

Wilhelm H. Joseph, Jr., Esq.
Executive Director

Stuart O. Simms, Esq.
Chief Counsel

Gustava E. Taler, Esq.
Chief Operating Officer

Administrative Offices
500 East Lexington Street
Baltimore, MD 21202
(410) 951-7777
(800) 999-8904
(410) 951-7778 (Fax)

www.mdlaborg
01.2021



February 19, 2021

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

Re: Maryland Legal Aid's Testimony in Opposition to House Bill 1201—Landlord and Tenant— Residential Lease Provisions – Responsibility of Tenant for Maintenance and Repair

Dear Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify in opposition to House Bill 1201. This is legislation that would decimate the protections for tenants in Maryland Real Property Code Article 8-208. 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 Melissa Well's request.

The rent escrow law's purpose is to ensure that the Landlord provides a safe, decent and affordable rental home to tenants. Adequate and functioning heat during the winter is a component of the safe housing obligations landlords and property owners are required to provide. HB 1201 would allow landlords to avoid that requirement, by shifting the financial responsibility to the tenant. With over 277,000 families in Maryland who pay over 30% of their income for rent, this bill will exacerbate the affordable housing crisis by allowing a Landlord to shift responsibility for providing heat and air condition cost directly onto to tenants. The costs associated with repair of heating and cooling are costs that no low income tenant can afford. The bill will result in potential reduction of the affordable housing inventory, while providing a windfall to Landlords. Since many companies who provide HVAC systems for homes provide a guarantee to replace or repair those systems, often extending for years, the tenant will be responsible for providing a benefit to Landlords from a tenant which under current law will extend beyond the tenant's periodic tenancies. HB 1201 would totally upend the health and safety rationale for the rent escrow law. It would set back fifty years of tenant protections guaranteed under Maryland law.

For this reason, we urge an unfavorable report on HB 1201.

Sincerely,

/s/ Gregory Countess

Gregory Countess, Esq.

Director of Advocacy for Housing and Community Economic Development

Maryland Legal Aid

(410) 951-7687

gcountess@mdlalab.org