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HB 104 - Landlord-Tenant-Nonrenewal of Lease-Notice Requirements

Hearing before the House Environment and Transportation Committee, Jan. 26, 2021

Position: SUPPORT

The Public Justice Center is a not-for-profit, civil legal aid organization that serves over 700 renters each year throughout Maryland. Our clients know firsthand the upheaval of facing lease termination on short notice. HB 104 does not eliminate the threat of arbitrary “no fault” lease terminations, but it *does* strengthen housing stability by ensuring, across all of Maryland, that renters have a minimum 60 days’ notice to leave the property. If a renter’s tenure in their unit exceeds 2 years, then HB 104 increases that requisite notice to 90 days. Currently, outside Montgomery County and Baltimore City, where local laws require 60 days’ notice, renters are subject to 30-day notices to vacate.

Public Justice Center supports HB 104 because, for renting families, an extra 30 days of notice means everything.

Notice to vacate is critically important for renter households whose tenancy is periodically renewed. HB 104 is an essential protection for the many households throughout Maryland that renting month to month.

Particularly for the families among these month-to-month tenancies, 30 days is a dauntingly short amount of time not simply to “pick up and leave,” but additionally, to find new housing. This inordinate challenge extends to low-wage workers, elders, and people with disabilities. When forced to move because the landlord opts not to renew the lease, they face dire straits in securing funds to pay moving costs and to pay the security deposit and first month’s rent on their next lease – all within 30 days.

The COVID-19 pandemic has demonstrated both the individual harm and the public inequity of permitting the threat of eviction on 30 days' notice.

In April 2020, amid school closures, a 67-year-old client lost her job as a Pre-K teacher. She was already living paycheck to paycheck and month to month at her rented home, where she had lived for 17 years. At that precarious time, she told Public Justice Center: "I don't have internet in my house, and I'm not good with computers. I've gotten some advice about applying for food stamps and unemployment insurance, but it is going to take a while. In the meantime, I haven't had any income coming in for over a month, and don't know when I will.... The landlord also just sent me a notice to vacate."

As the state stumbled in standing up emergency unemployment compensation, rental assistance, and energy assistance, time was not on the side of countless Marylanders. The fact that Maryland allows landlords to end periodic tenancies on 30 days' notice only compounded the threat of dispossession felt by struggling renters.

HB 104 is perhaps inspired as a protection for those households, but it is also a reform that recognizes the long-standing and continuing challenges that renters face when any calamity strikes, be it a sudden illness or injury, a death in the family, or an unforeseen loss of a public benefit. A 60- or 90-day notice under HB 104 does not cure every problem for these renters, but it significantly relieves some of the economic pressure that Maryland's current 30-day policy inflicts.

Please issue a report of FAVORABLE on HB 104. If you have any questions, please contact Zafar Shah, shahz@publicjustice.org, (410) 625-9409 Ext. 237.