



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

HB 729

DATE: February 15, 2021

SPONSOR: The Speaker (By Request – Office of the Attorney General)

ASSIGNED TO: Judiciary

CONTACT PERSON: Amy Samman (amy.samman@montgomerycountymd.gov)

POSITION: Support

Landlord and Tenant – Eviction Actions – Filing Surcharge and Prohibited Lease Provisions

House Bill 729 raises the surcharge for filing summary ejectment, tenant holding over, and breach of lease actions against a residential tenant to no less than \$120 in Maryland. Under current law, the surcharge for summary ejectment is \$15. For tenant holding over and breach of lease actions, the current surcharge is \$46. House Bill 729 also requires that the surcharge be assessed against the landlord and prohibits the District Court from awarding or assigning it as a fee or cost against the residential tenant. In addition, House Bill 729 prohibits a landlord from including a lease provision that would require the tenant to pay the filing surcharge. The money from the surcharge is deposited into the Maryland Legal Services Corporation Fund, which is used to finance civil legal services for indigent clients.

Montgomery County supports House Bill 729. This bill aligns with the County's priority to support eviction mitigation. The increased surcharge could incentivize landlords to work with tenants on repayment rather than immediately filing for a complaint in District Court. It also has the potential to decrease the number of evictions and reduce tenant debt.

For the foregoing reasons Montgomery County supports House Bill 729 and respectfully requests a favorable Committee report.