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February 15, 2021

To: The Honorable Luke Clippinger
Chair, Judiciary Committee

From: Kira Wilpone-Welborn
Consumer Protection Division

Re: House Bill 697 – Residential Property - Eviction Proceedings - Shielding of Court
Records (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General supports House Bill 697 sponsored by Delegate Nicole A. Williams. House Bill 697 seeks to ensure housing stability to Maryland consumers by shielding from public inspection records related to court records concerning actions brought pursuant to § 8-807 and § 8A-1703 of the Real Property Article. However, these actions are unshielded once an order of possession is issued in favor of the ground lease holder, or the mobile home park.

Presently, the mere filing of a possession action can appear on a consumer's tenant screening report, regardless of the ultimate disposition and the circumstances surrounding the filing. As a result, as the Washington Post recently reported, consumers even when successful in defending an action for possession can still be denied subsequent housing opportunities.¹ This can leave tenants in a constant cycle of housing insecurity due to prior possession actions that do not accurately reflect what actually happened in the action for possession or their present suitability to rent or lease. House Bill 697's shielding of these proceedings before the ultimate resolution prevents the incomplete and potentially misleading reporting on a consumer's tenant report.

For these reasons, the Consumer Protection Division seeks a favorable reporting from the Judiciary Committee on House Bill 697.

cc: The Honorable Nicole A. Williams
Members, Judiciary Committee

¹ "The stimulus relieved short-term pain, but eviction's impact is a long haul" Washington Post, February 8, 2021.