



Bill Title: House Bill 1008, Failure to Pay Rent Proceedings – Sealing of Court Records

Committee: Judiciary

Date: February 17, 2021

Position: Favorable with Amendments

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

Under House Bill 1008, within 30 days after the final resolution of a failure to pay rent proceeding, the District Court must seal all court records relating to the proceeding if the proceeding did not result in a judgment of possession. On motion by a tenant, the District Court may seal all court records relating to a failure to pay rent proceeding that results in a judgment of possession if the tenant demonstrates by a preponderance of the evidence that the tenant exercised the right of redemption and at least 12 months have passed since the final resolution of the proceeding that the tenant seeks to seal or the district court determines that it is in the interest of justice that the court records relating to the failure to pay rent proceedings be sealed. The District Court is required to seal the court records within 30 days after granting the tenant’s motion to seal.

MMHA has no objection to shielding a landlord/tenant action if the final resolution resulted in a dismissal or order for the tenant in a judgment of repossession. MMHA is concerned that sealing records 30 days after the final resolution does not provide a prospective residential housing provider with an accurate picture of that prospective applicant. This is especially the case if that resident has failed to pay rent at one unit, is in the midst of looking for another and has exercised their right of redemption. MMHA requests an amendment to require shielding 90 days after the final resolution.

Amendment No. 1

On page 2, line 18, strike “30” insert “90”

For these reasons, we respectfully request a favorable report with amendments on House Bill 1008.

Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992