

Testimony to the Environment & Transportation Committee

HB0392: Landlord and Tenant – Failure to Repair Serious and Dangerous Defects - Tenant Remedies (Tenant Justice Act)

Position: Favorable

February 8, 2022

The Honorable Kumar P. Barve, Chair
Environment and Transportation Committee
Room 251, HOB
Annapolis, MD 21401
cc: Members, Environment and Transportation Committee

Honorable Chair Barve and Members of the Committee:

The Maryland Consumer Rights Coalition (MCRC) is a statewide coalition of individuals and organizations that advances economic rights and financial inclusion for Maryland consumers through research, education, direct service, and advocacy. Our 8,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

We are writing today in support of HB0392. As it stands, there are many more tenants suffering with uninhabitable living conditions than file for rent escrow. For many, the prospect of bringing an individual lawsuit raises insurmountable fear of retaliation and abuse by unscrupulous landlords. For others, the filing fee and time missed from work are infeasible on a lean budget. For others still, the intimidating prospect of facing off against landlords and judges chills their pursuit of a remedy. These factors help to explain the paltry numbers of rent escrow actions filed by individual renters each year.¹

In 2021, our Tenant Advocacy program received 1271 complaints from Maryland residents statewide. Of those 1271, 126 were centered around housing code violations, denial of essential services, and otherwise substandard housing. HB0392 would empower more tenants to seek remedies by introducing group standing and collective remedies to the rent escrow law (Real Property § 8-211). By allowing tenants to join their interests together, this bill would have an enormous impact on tenants' ability to organize quickly and efficiently to compel landlords to make potentially life-saving repairs. HB0392 would enable a single tenant to file a rent escrow case about building and unit conditions on behalf of multiple tenants or a tenants' association. Moreover, the bill ensures landlord accountability by enabling tenants to seek damages and attorney's fees from negligent landlords who refuse to make necessary repairs to uninhabitable conditions.

HB0392 mirrors an existing reform in New York City, one that routinely supports tenants in building collective power to organize for safe and healthy rentals. Our organization supports the Tenant Justice Act because we believe Maryland renters deserve the same opportunity to build power for better housing.

The Maryland Consumer Rights Coalition is a member of the Renters United Maryland coalition and asks that the

¹ Maryland Judiciary, <https://mdcourts.gov/district/about#stats>

Committee issue a favorable report on HB0392.

Sincerely,
Isadora Stern
Policy Advocate