

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Joseph M. Getty
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Environment and Transportation Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 384
Landlord and Tenant – Stay of Eviction Proceeding for Rental
Assistance Determination
DATE: March 23, 2022
(3/29)
POSITION: Oppose

The Maryland Judiciary continues to oppose Senate Bill 384 as amended.

The Judiciary has no position on the intent of the legislation but opposes the provision which makes the stay mandatory rather than discretionary by the court. The bill mandates that the court “shall” stay the proceeding or the warrant of restitution. Changing this to “may” would restore the court’s ability to exercise discretion in determining whether to grant a stay.

Also, as a condition of accepting rental assistance, landlords are oft times required to enter into rental assistance agreements with other conditions attached. For instance, in addition to dismissing the complaint for failure to pay rent, landlords are often requested to dismiss pending tenant holding over, breach of lease actions, and delay filing additional failure to pay rent cases.

cc. Hon. Shelly Hettleman
Judicial Council
Legislative Committee
Kelley O’Connor