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**HB 263**

February 2, 2022

**TO:** Members of the Environment and Transportation Committee  
**FROM:** Natasha Mehu, Director of Government Relations  
**RE:** House Bill 263 – Real Property -Nuisance Actions – Rodent Harborage  
**POSITION: Oppose**

Chair Barve, Vice Chair Stein, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **opposes** House Bill 263.

While the BCA generally supports providing additional means to abate rodent infestations, as an owner of vacant buildings and provider of federally funded public housing, the City is concerned with the costs and liability this broad-reaching bill would impose as drafted.

The Housing Authority of Baltimore City (HABC) was established to provide federally funded public housing programs and related services for Baltimore's low-income residents. The proposed law would have a major financial impact on HABC as the bill is too broad and overreaching in several ways.

First, the proposed law provides no requirements for notice and opportunity to cure before a property owner is sued. HABC is a property owner that rents all of its properties to tenants. Tenants are required to notify HABC of needed repairs, but do not always do so. Further, tenants sometimes create housekeeping conditions that promote pests. Some tenants refuse to cooperate with HABC's pest eradication efforts even though it is a material lease provision, and HABC must go through a judicial process such as a breach of lease action or injunctive relief to gain access to perform repairs in some instances. Further, HABC also experiences unauthorized occupancy and squatters in some units, who contribute to these conditions, and must also go through a judicial process to regain possession of their unit in many instances. In some

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situations, a source of the problem in a HABC-unit may not even be a property owned by HABC unit, and a property-owner such as HABC can be sued, before it has had notice of the issue and an opportunity to get to the source to have the matter addressed by the source.

Additionally, within the resources available to it, the City makes every effort to monitor the conditions of its vacant properties and abate whatever conditions jeopardize public health and safety. These vacant properties present unique conditions and concerns for abatement.

Although the objective of the law is not unreasonable, the law as presently written is unreasonable as it is not clearly defined, especially as to lack of notice, standing to file action and what damages can be reasonably claimed, and in what amounts. It has the potential to bring about lawsuits that are based on spurious grounds and without notice, which will have financial and liability impacts on the City in the defense of such suits.

As such, the BCA respectfully requests an **unfavorable** report on House Bill 263.