



**Bill No:** HB 134—Failure to Pay Rent Proceedings- Prohibition on Rent Increases and Sealing of Court Records

**Committee:** Environment and Transportation

**Date:** 1/18/2022

**Position:** Favorable with Amendments

The Apartment and Office Building Association of Metropolitan Washington (AOBA) represents members that own or manage more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George’s Counties.

House Bill 134 requires the District Court to seal all court records relating to a failure to pay rent proceeding within 60 days after the final resolution of the eviction proceeding if the case does not result in a judgement of possession. Additionally, by motion of a tenant, the District Court may seal records if: (1) the District Court determines that it is in the interest of justice that the court records relating to failure to pay rent be sealed; (2) the tenant establishes a preponderance of evidence that the tenant exercised the right of redemption and at least 12 months have passed since the final resolution of the proceeding.

AOBA understands the need to shield court records if the case was dismissed or the unit was not repossessed. However, the Association is concerned with sealing records 60 days after the final resolution from the Court. The 60-day timeframe does not provide housing providers sufficient time to thoroughly vet prospective residents, especially applicants that have demonstrated a failure to pay rent at one unit and are in the process of looking for another unit. AOBA supports an amendment to increase the timeframe for sealing records from 60 to 90 days.

Amendment No. 1

On page 2, line 22, strike “60” insert “90”

**For these reasons, AOBA requests a favorable with amendment report on HB 134.** For further information contact Ryan Washington, AOBA Government Affairs Manager, at 301-904-0814 or [ebradley@aoba-metro.org](mailto:ebradley@aoba-metro.org) .