



Bill No: HB 674 -- Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination

Committee: Environment and Transportation

Date: 2/22/2022

Position: Unfavorable

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 674 mandates a stay of an eviction proceeding or stay of the execution of a warrant of restitution until the resolution of a resident's application for rental assistance and the disbursement of funds are awarded.

AOBA members have been working diligently with residents and various emergency rental assistance programs to support residents through a very challenging financial time. However, this bill would tie a housing provider's hands for an inordinately long period of time with no guarantee that rental assistance will ever be received.

AOBA opposes staying the court proceeding until the resolution of the application. With the backlog in court operations causing a 11–14-month lag between filing and hearing date there is time for a resident with an application already in process to receive resolution on that application. Additionally, with the backlog in ERAP, getting back into court could take several months. AOBA members are still waiting for resolution on applications filed in August 2021. AOBA believes the court proceeding should continue and a judgement entered.

Further, submitting evidence that a resident has applied for rental assistance is not sufficient reason to stall proceedings. What will stop residents-- previously uncommunicative or aware that they are ineligible for assistance-- from applying for rental assistance to stay in a unit for additional months? Halting the entire process for an unknown amount of time with no guarantee there will be a satisfactory resolution is putting the housing provider in a troubling position while unpaid rent balances continue to rise.

For these reasons AOBA requests an unfavorable report on HB 674.

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