



Senate Bill 384 – Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination

Position: Unfavorable

The Maryland REALTORS® appreciates the considerable changes the Senate made to SB 384 which prohibits a landlord from evicting a tenant for nonpayment of rent if the tenant is waiting for rental assistance. Nevertheless, the REALTORS® still oppose the legislation given that the cap on the length of the eviction stay is 35 days which we believe pushes landlords (particularly small landlords) into a potentially new month of missed rental and mortgage payments. We believe a 21-day time period makes more sense.

The Maryland REALTORS® represents approximately 30,000 real estate licensees statewide. About 30% of our members own rental property or act as property managers for owners of real estate. On average, our members own/manage 3.5 properties.

While the Emergency Rental Assistance Programs (ERAP) have helped many tenants and landlords, these programs are not perfect. It is not uncommon for the rental assistance payments to be delayed by months even after a tenant has been approved for CARES money. A small investor who misses months of payments may not be able to continue the mortgage payments on the rental property which is why limiting the cap on the stay to less than a month would assist small owners. Moreover, small owners face late payment penalties that can be 5% of the mortgage payment.

With the vast uncertainty in the rental market over the last 2 years, and the continued strong sales market, our property managers report that 3-21% of their rental property portfolios are being sold. We appreciate that changes to SB 384 bring more balance to the current bill but believe a 21-day period provides important help to small landlords.

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