



**STATEWIDE
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February 25, 2022
The Honorable Kumar P. Brave
Chair of the Environment and Transportation Committee
House Office Building
Annapolis, Maryland 214011

**Re: Maryland Legal Aid's Testimony in Opposition to House Bill 1069—
Maryland Bedbug Detection and Treatment Act**

Dear Mr. Chair and Members of the Committee:

Thank you for the opportunity to testify in opposition to House Bill 1069.
Legislation to provide relief for tenants whose homes are infested by bed bugs.

Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. MLA handles civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining employment, child custody, housing, and a driver's license. This letter serves as notice that Gregory Countess, Esq. will testify on behalf of MLA at the request of Delegate Melissa Wells.

HB 1069 recognizes that it is essential to immediately treat and control the public health scourge of bed bug infestations. However, the bill fails to set a fair process for controlling and eradicating the pest in rental dwellings because it permits the owner to assess charges against the tenant for failing to adhere to "reasonable" unit preparation and treatment policies. Though the bill also requires the LL to comply with Fair Housing laws, it does not provide a penalty if the Landlord fails to comply with its Fair Housing duty. Nor does the bill require the Landlord to publish and provide its preparation of the unit protocol to tenants. Further, the bill does not define unreasonable unit preparation protocols. Thus, the bill will permit owners who fail to comply with their Fair Housing obligations or make tenants aware of its unit preparation policy to charge and evict tenants unfairly.

This is not speculation. MLA represented a group of tenants subject to delays in treatment, and the landlord threatened eviction because of the gap in what the current law requires. This bill would not have provided those tenants the protection they needed. Even though those tenants filed discrimination complaints against the owner for the owner's failure to comply with the Fair Housing law, the potential of such an action against the Landlord did not prevent their conduct. One of the tenants was an older man who was a double amputee and almost blind. He could not comply with any unit preparation list that

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01.2022



required him to lift and move furniture or even reach into drawers and cabinets he could not reach, let alone read the document. However, the owner did not provide him with assistance and, without explanation, barred people he had gathered to help him prepare the unit for treatment from gaining entrance to the building. After receiving a report from the pest control company that the tenant had failed to properly prepare the unit for inspection and treatment, the owner sent a notice to vacate to the tenant and then filed a Tenant Holding Over Action against him to evict him from his unit.

Though this bill seeks to provide a process to address the public health scourge of bedbugs, deficiencies in the bill make it likely that tenants like those MLA represent will be harmed.

For these reasons, MLA opposes HB 1069 and urges an unfavorable report unless amended.

Sincerely,

/S/

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