



# Montgomery County

## Office of Intergovernmental Relations

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**ROCKVILLE: 240-777-6550**

**ANNAPOLIS: 240-777-8270**

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**HB 134**

**DATE: January 27, 2022**

**SPONSOR: Delegate Hill**

**ASSIGNED TO: Environment and Transportation & Judiciary**

**CONTACT PERSON: Leslie Frey** (leslie.frey@montgomerycountymd.gov)

**POSITION: SUPPORT**

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### **Failure to Pay Rent Proceedings - Prohibition on Rent Increases and Sealing of Court Records**

House Bill 134 generally requires the District Court to seal all related court records within 60 days after the final resolution of a failure to pay rent proceeding that did not result in a judgment of possession and for which no appeal is pending. Under certain circumstances, the bill permits the court to seal all court records upon request of a tenant in a failure to pay rent proceeding that results in a judgment of possession. In addition, the bill prohibits a landlord from increasing rent solely because a judgment was entered against a tenant in a failure to pay rent action.

Many tenants who experience a failure to rent proceeding have difficulty finding subsequent housing because of the ability of prospective landlords to access court records, or they face financial penalties because of their record of eviction. These consequences of failure to pay rent proceedings place additional burdens on the Marylanders who are among the most vulnerable to housing instability. The protections offered by House Bill 134 are a way to help relieve these additional pressures and keep residents housed- actions that are necessary in the best of times and particularly during COVID-19 economic recovery.

Montgomery County has recently enacted Bill 30-21, Landlord-Tenant-Relations-Restrictions During Emergencies-Extended Limitations Against Rent Increase and Late Fees, which prohibits a landlord from increasing rent beyond certain guidelines during an emergency. House Bill 134 shares with Bill 30-21 the objective of promoting COVID-19 economic recovery by protecting tenants and reducing the burden of rent increases.

Montgomery County respectfully urges the committee to issue a favorable report on House Bill 134.