



Senate Bill 279

Committee: Judicial Proceedings
Date: February 9, 2022
Position: Favorable with Amendments

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

Senate Bill 279 (“SB 279”) directs funding to the Access to Counsel in Evictions Program. Funding under SB 279 is comprised of funds received by the Attorney General from any settlement, agreement with, or judgement against a party relating to an investigation or enforcement of the Maryland Consumer Protection Act for an unfair, abusive, or deceptive trade practice for rental residential property. SB 279 excludes from the funding any money received by the aggrieved party and the costs of the action the Attorney General is entitled to recover.

MMHA’s position on funding for the Access to Counsel in Evictions Program (“A2C Program”) has been consistent. MMHA is supportive of funds that do not burden housing providers who are acting in good faith and providing critical services to Maryland’s residents. As such, MMHA is supportive of SB 279 due to its funding being derived from violations of the Maryland Consumer Protection Act. **SB 279 is certainly a more appropriate method to fund the A2C Program than unrecoverable court costs being levied against housing providers that are exercising their right to access the impartial judicial system.**

Though it is a better funding mechanism than unrecoverable court costs, SB 279 does not clearly delineate the finality of the court process. As such, MMHA respectfully requests that the committee consider the following two amendments:

- **Amendment One:** On page 2, strike lines 6 through 8.
 - This amendment would remove uncodified language from the bill that currently includes the names of businesses that are involved in a pending legal matter that may be subject to appeal.
- **Amendment Two:** On page 2, lines 23 and 24, insert the term “FINAL” before the terms “SETTLEMENT,” “AGREEMENT,” and “JUDGEMENT.”
 - Amendment two clarifies that funds will be allocated at the conclusion of court process or upon a final agreement or settlement.