



SB 564 – Landlord and Tenant and Wrongful Detainer Actions- Eviction Prevention Services

Hearing before the Judicial Proceedings Committee,

Feb. 22, 2022

Position: SUPPORT (FAVORABLE)

Community Legal Services of Prince George’s County, Inc., is a non-profit organization established to provide quality legal services to low-income residents in Prince George County. We provide representation to tenants facing eviction in both Prince George’s and Anne Arundel County.

We support SB 564 and urge the Committee to issue a favorable report.

Since 2018, I have managed our Tenant Representation Program where we provide same-day and general legal representation to tenants in eviction cases including Wrongful Detainers. In these cases, it is not uncommon for a tenant to be served a few days before their court hearing, making it difficult, if not impossible, to gather evidence and witnesses, and to obtain legal representation. Due to the complexity that Wrongful Detainer cases can entail, we are not always able to assist tenants same-day due to time constraints and additional information being needed. There is currently no express authority in the Wrongful Detainer statute that allows legal service providers to meet with clients during their hearings to prepare legal arguments.

This bill would give legal service providers the opportunity to provide more in-depth same-day representation, and if needed, it would expressly allow either party to request a brief continuance to obtain legal representation, relocation assistance, and/ or mediation.

Perhaps most significantly, and why we support this bill, is the basis in which many Wrongful Detainer cases are filed. Wrongful Detainer cases don’t just involve squatters; they are often filed by new purchasers of foreclosed properties and in some cases, against tenants who were defrauded and unknowingly entered into a lease agreement with a person who did not have actual ownership of the property. In many of these cases, the tenants were unaware that the home they were renting was being foreclosed, or that their lease was fraudulent, despite them continuing to pay their rent. The unfortunate result in many of these court hearings is the tenant’s displacement due to no fault of their own. In other cases, the parties are willing to enter into settlement and cash-for-keys negotiations but these usually require additional time outside of a court hearing.

I understand the concern with the “shall” language of this bill, and I think replacing it with “may” would still be a step in the right direction. For these reasons, **we respectfully urge the Committee**

to issue a favorable report on SB 564. If you have any questions, please contact: Kayla Williams, Supervising Attorney, Williams@clspgc.org, 240-391-6532 Ext. 2