



**SB 6: Landlord and Tenant - Residential Leases - Tenant Rights and Protections (Tenant Protection Act of 2022)
HEARING BEFORE THE JUDICIAL PROCEEDINGS COMMITTEE, FEBRUARY 3, 2022 AT 1:00 PM
POSITION: SUPPORT**

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide clearinghouse for volunteer civil legal services in Maryland. As the designated pro bono arm of the Maryland State Bar Association, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar. We respond to acute legal needs identified in areas across the state by piloting innovative pro bono service projects targeting specific legal problems or populations.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the **Tenant Volunteer Lawyer of the Day Program (TVLD Program)** in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented in Failure to Pay Rent and other proceedings related to the landlord/tenant relationship. In September 2021, the TVLD program received additional funding to expand its services to Baltimore County. In addition to direct representation of tenants, PBRC operates a tenants’ rights hotline where tenants may call to seek legal information and advice in dealings with their landlords. Thus, PBRC staff attorneys regularly advise tenants both in and outside of court regarding a variety of landlord/tenant issues, including those related to security deposits and utilities.

SB 6 provides important protections for tenants regarding return of security deposits. Under current Maryland law, tenants may have to wait up to 45 days after ending a tenancy to receive their security deposits. As landlords are permitted to charge up to two months’ rent as a security deposit, this can be a significant sum of money, particularly for low-income tenants. Tenants rely on the return of the security deposit to finance their move to another home. Currently, landlords need to itemize any deductions to the security deposit but are not required to provide documentation regarding those deductions. Through PBRC’s tenant’s rights hotline, our staff attorneys regularly speak with tenants who are confused about security deposit deductions and may have been treated unfairly by their landlords in this respect. **SB 6 will protect tenants from unreasonable or arbitrary deductions by requiring landlords to provide supporting documentation.**

SB 6 would also provide clarity to tenants in ratio billing utility systems regarding their energy and water bills. These are typically found in multi-family properties containing one master meter for the entire building. The landlord contracts with a third-party service to allocate the bill. Under current Maryland law, tenants have no right to the underlying utility usage data or these allocation calculations (except for in two local jurisdictions). **SB 6 provides transparency to tenants regarding their utility bills in several important ways.** It requires landlords to provide written notice of the utilities tenants are expected to pay and the method by which those bills are calculated. It also mandates that landlords provide the average monthly cost for each utility. These provisions are vital for Maryland tenants, many of whom are cost-burdened. Last year, over 63% of clients served by PBRC reported an income of less than \$29,999 per year. Statistically, 74% of those households spend more than 50% of their income on housing. SB 6 will give Maryland tenants a greater understanding of the true cost of their rental and provide a means for them to challenge excessive charges.

No tenant should be subjected to unfair security deposit deductions or utility billing. **PBRC supports SB 6 because it will ensure that Maryland tenants can make smart choices regarding housing and protect them from unfair or arbitrary security deposit deductions.** Thank you for the opportunity to testify.

For the above reasons,

PBRC urges a FAVORABLE report on SB 6.

Please contact Katie Davis, Director of PBRC's Courtroom Advocacy Project, with any questions.

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