



Bill Title: House Bill 521, Landlord and Tenant – Repossession for Failure to Pay Rent – Shielding of Court Records

Committee: Judicial Proceedings Committee

Date: March 31, 2022

Position: Favorable

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.

This bill authorizes a tenant to petition the court to shield records related to any action for repossession for failure to pay rent if the failure was due to a loss of income arising out of the COVID-19 pandemic for actions filed on or after March 5, 2020 but before January 1, 2022. This can only occur after the judgment has been satisfied and the appeal period has lapsed. The tenant must serve a copy of the petition to the landlord and a landlord may file an objection no later than 15 days after receipt of service. If the landlord does object, the court must hold a hearing. The court may grant the shielding if the tenant demonstrates at the hearing that the tenant's failure to pay was due to a loss of income stemming from the pandemic. If the landlord does not file an objection to the petition, the court may grant the petition.

MMHA has no objection to shielding a landlord/tenant action for failure to pay rent under the narrow circumstances called for in this bill, if the judgment has since been satisfied and the appeal period has lapsed. To ensure the court receives all relevant facts, MMHA fully supports the provision that the tenant serve the landlord with the petition and allow the landlord an opportunity to be heard.

For these reasons, we respectfully request a favorable report on House Bill 521.

Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992