



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**HB 703 – REAL PROPERTY – ACTIONS TO REPOSSESS – JUDGMENT FOR  
TENANTS AND PROOF OF RENTAL LICENSURE**

**SUPPORT**

GOOD AFTERNOON MR. CHAIR, MR. VICE CHAIR AND JUDICIARY COMMITTEE COLLEAGUES. I AM ASKING YOUR FAVORABLE REPORT FOR HB 703, A BILL AUTHORIZING DISTRICT COURTS TO AWARD TENANTS COSTS AND EXPENSES IF THE ATTEMPT TO REPOSSESS FOR BREACH OF A LEASE HAS BEEN PROVEN TO HAVE OCCURRED IN BAD FAITH OR WITHOUT PROPER JUSTIFICATION BY THE LANDLORD.

THIS BILL IDENTIFIES STANDARD CONDITIONS FOR A LANDLORD TO BEGIN THE PROCESS OF REPOSSESSION OF THEIR PROPERTY AND EVICTION OF THE TENANT, AND DEFINES FAIR AND DOCUMENTABLE GRIEVANCES. HOWEVER, IF A LANDLORD GOES THROUGH THE PROCESS TO EVICT AND IF THE COURT FINDS THAT THE LANDLORD HAS USED THIS PROCESS IN BAD FAITH, THE TENANT CAN BE AWARDED COURT COSTS AND EXPENSES INCLUDING ATTORNEYS FEES FOR THEIR TROUBLE. THE GOAL OF HB 703 IS TO PROTECT TENANTS FROM LANDLORDS WHO WOULD ABUSE THE LEGAL SYSTEM TO HARM THEM, AND TO ENFORCE GOOD BUSINESS PRACTICES ON THE PART OF LANDLORDS.

ADDITIONALLY, THIS BILL INCLUDES A PROVISION IN A COUNTY, MUNICIPALITY, OR OTHER JURISDICTION THAT REQUIRES A RESIDENTIAL RENTAL LICENSE, FOR THE LANDLORD FILING A WRITTEN COMPLAINT TO REPOSSESS THAT HE OR SHE SHALL SUBMIT TO THE CLERK OF THE DISTRICT COURT RECORDS DEMONSTRATING THAT THE PROPERTY IS:

- (I) LICENSED IN COMPLIANCE WITH APPLICABLE LOCAL RENTAL LICENSING REQUIREMENTS; OR
- (II) EXEMPT FROM APPLICABLE LOCAL RENTAL LICENSING REQUIREMENTS.

AT TRIAL, THE LANDLORD MUST PROVE BY A PREPONDERANCE OF THE EVIDENCE THAT THE PROPERTY LISTED IN THE WRITTEN COMPLAINT IS LICENSED WITH THE JURISDICTION OR IS EXEMPT FROM LICENSING REQUIREMENTS.

TO SATISFY THE REQUIREMENTS OF THIS SUBSECTION, A LANDLORD MAY PROVIDE ELECTRONIC PROOF OF LICENSURE.

FINALLY, HB 703 STIPULATES THAT A TEMPORARY OR PROVISIONAL LICENSE IN ANY FORM IS INSUFFICIENT PROOF OF LICENSURE. LANDLORDS IN POSSESSION OF LICENSING AS REQUIRED BY THE LOCAL JURISDICTION HAVE NO REASON TO FEAR THIS BILL.

I URGE A FAVORABLE REPORT.

