

Marjorie Cook Foundation Domestic Violence Legal Clinic

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TESTIMONY IN SUPPORT WITH AMENDMENTS OF SENATE BILL 6 February 3, 2022 DOROTHY J. LENNIG, LEGAL CLINIC DIRECTOR

House of Ruth is a non-profit organization providing shelter, counseling, and legal services to victims of domestic violence throughout the State of Maryland. House of Ruth has offices in Baltimore City, Baltimore County, Prince George's County, and Montgomery County. Senate Bill 6 would expand protections for victims of domestic violence who have residential leases. We urge the Senate Judicial Proceedings Committee to amend SB 6 and report favorably.

In 2010, the Maryland General Assembly passed legislation which permitted victims of domestic violence to, among other remedies, terminate a residential lease after providing notice to the landlord. This law greatly improved the safety and welfare of victims of domestic violence and their children. SB 6 would expand the avenues available to victims to be able to take advantage of this remedy. In addition to allowing a victim to use this provision by obtaining a protective order, it would allow the victim to have a Qualified Third Party issue a report indicating that the tenant is seeking assistance for domestic violence.

The House of Ruth has represented numerous clients who continue to feel unsafe in their homes because the abuser knows where the victim lives, is familiar with the area around the residence and how to come and go undetected, and may even know ways of entering the residence through windows or insecurely locked doors. Multiple of the House of Ruth's clients have continued to feel unsafe in their homes because the abuser's family members live in the same apartment complex or on the same block and provide information to the abuser about the victim's activities. In such cases, the only way for the victim and her children to be safe is to move to a location of which the abuser is unaware. This is only possible if the victim is able to terminate the existing lease so that she is no longer responsible for the leased premises. Passage of SB 6 as amended would expand this important remedy to victims of domestic violence.

House of Ruth suggests amending SB 6 to strike references to domestic violence, sexual assault, and stalking and replace them collectively with "abuse," which would be defined as "Abuse" has the meaning stated in 4-501(B) of the Family Law Article. This is the definition of abuse used for obtaining a protective order.

We also suggest that the definition of "Qualified Third Party" be amended in SB 6 to comport with those permitted to determine eligibility for the Address Confidentiality Program, MD STATE GOVT § 7-304. Specifically, add "documentation from a domestic violence or sexual assault prevention or assistance program," on page 8 after line 6.

In addition, we suggest striking all of the language referring to stalking, as this would now be covered under the definition of abuse. Finally, we suggest on page 8, line11, striking "physical or mental injuries resulting from," as the current statute does not require injury to be eligible for the relief sought.

The House of Ruth urges the Senate Judicial Proceedings Committee to amend Senate Bill 6 and report favorably.