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**TO:** The Honorable Luke Clippinger  
Chair, House Judiciary Committee

**FROM:** Hannibal G. Williams II Kemerer  
Chief Counsel, Legislative Affairs, Office of the Attorney General

**RE:** HB 521 – Landlord and Tenant – Repossession for Failure to Pay Rent – Shielding of Court Records – **Support with Sponsor Amendments**

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Chairman Clippinger, Vice Chair Moon, and distinguished Members of the Judiciary Committee, thank you for the opportunity to testify in support of HB 521. If enacted, Delegate Peña-Melnyk's bill would permit tenants to petition courts to shield from public access court actions against them for failure to pay rent. The bill is limited in scope to eviction actions filed on or after March 5, 2020 (the date Governor Hogan declared the COVID-19 state of emergency), to before January 1, 2022. It further limits the pool of potential petitioners to individuals who suffered a loss of income arising out of the pandemic. House Bill 521 has an effective date of October 1, 2022.

As noted in a recent law journal article,

Tenants thrown into sudden unemployment by COVID-19 are already facing nonpayment eviction in some states. When eviction moratoria are lifted, many more will join them. If records of these cases remain unsealed, a present COVID-19 eviction will haunt a tenant until 2025, 2030—even beyond. Eviction is a civil offense. It can result from a single, isolated instance of nonpayment. There is no reason that courts and legislatures should allow a single eviction, legitimate or not, to dictate a tenant's housing prospects for a decade.<sup>1</sup>

For all the foregoing reasons, the Office of Attorney General urges the Committee to favorably report House Bill 521 with sponsor amendments.

cc: Members of the Judiciary Committee

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<sup>1</sup> Shannon Price, Stay at Home: Rethinking Rental Housing Law in an Era of Pandemic, 28 Geo. J. on Poverty L. & Pol'y 1, 31 (2020).