



Bill No: HB 521-- Landlord and Tenant - Repossession for Failure to Pay Rent - Shielding of Court Records

Committee: Judiciary

Date: 3/2/2022

Position: Favorable

The Apartment and Office Building Association of Metropolitan Washington (AOBA) represents members that own or manage more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's Counties.

House Bill 521 allows residents to petition the Court to shield court documents related to an action for repossession for Failure to Pay Rent (FTPR) if the action was due to a COVID-19 related loss of income. The Court shall grant the petition for any record relating to an action in which there was no judgment entered in favor of the housing provider. If a judgement was entered in favor of the housing provider, the housing provider will receive a copy of the petition to shield. A housing provider may file an objection to the petition; if the housing provider objects to the petition they must demonstrate at a hearing that the failure to pay rent was not due to COVID-19 loss of income. The bill applies only to actions filed on or after March 5, 2020, but before January 1, 2022.

AOBA supports this bill because it is drafted narrowly and strikes a balance between residents' and housing providers' interests. Importantly, the bill is in line with the Association's and its members' consistent stance on supporting residents through the unprecedented economic challenges posed by the COVID-19 pandemic. Since March 2020, the housing providers AOBA represents have worked tirelessly to assist their residents in several creative ways. The industry has marshalled resources and staff to help residents apply for unemployment and rent payment assistance. In addition to donating to nonprofits, AOBA members have hosted food pantries, coordinated prescription drug deliveries and brought other essential service providers on-site in communities. Housing providers developed comprehensive resource guides to link residents with critical services and developed numerous other programs tailored to the needs of their communities. This bill is the natural extension of AOBA members' commitment to their communities and serving residents hit hard by the pandemic.

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