



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of SB450
Real Property - Limitations on Summoning Law Enforcement or Emergency
Services - Prohibition**

Every Marylander should be able to summon police or medical services during an emergency. However, “nuisance laws” enacted by some local governments threaten the ability of a resident to get help when they need it for fear of losing their home.

As background, a handful of local jurisdictions have enacted well-intentioned laws to penalize property owners for repeated calls for police service to their property. These laws subject the landlord or property owner to a fine and possible loss of their rental license if the police are called out to a property more than a certain number of times within a specified timeframe—*e.g.*, two times within 30 days. To avoid such penalties, some landlords will evict the tenant after the first call for service—regardless of the reason for the call. Indeed, evictions can occur even when the tenant did nothing wrong or even was the victim of a crime.

Some local ordinances specifically define “excessive” calls for police or emergency services as nuisances, even when the tenant is a victim of domestic violence, stalking, or another crime that requires police, medical, or other emergency assistance.¹ This deters the reporting of crime and places victims of crime in heightened danger, resulting in some victims being afraid to call for help for fear of eviction. The existence of a nuisance ordinance can also deter landlords from renting to persons they believe will be a victim of crime, especially domestic violence victims. The outcome is that some of our most vulnerable Marylanders may fear contacting emergency services due to the risk of being evicted.

Maryland in Context

In Maryland, nine municipalities and five counties have enacted nuisance laws.² These local laws vary in terms of how they define a nuisance, but most are based on documented criminal activity, such as a police report or arrests. However, some of these laws are based on the number of calls for police service.³ Among the jurisdictions with such laws, as few as two calls for police service within a month can be grounds for fining a property owner.

¹ “Victims’ Dilemma: 911 Calls Can Bring Eviction.” Erik Eckholm, *New York Times* (2013).

² Anne Arundel, Baltimore City, Baltimore County, Prince George’s County, Brunswick, College Park, Hampstead, Manchester, Union Bridge, and Westminster.

³ Anne Arundel and Harford Counties, Frederick, Hagerstown, and Smithsburg.

Local laws also vary in the types of calls for service that can be counted towards the designation of a nuisance property. In most Maryland jurisdictions, minor infractions such as littering, alcohol violations, and noise violations are sufficient grounds under local law to initiate penalties, which can result in the eviction of the tenant.

What This Bill Does

This bill would ensure the right of residents to get help from police and EMS by barring local “nuisance laws” from penalizing landlords and tenants for solely summoning assistance. It would prohibit local governments from enacting nuisance laws that punish landlords and tenants for the summoning of police or emergency services, specifically using the number of calls for police or emergency service as part of their definition of a nuisance property. Nine other states have passed similar legislation.⁴

The bill would also prohibit a landlord from evicting or threatening to evict a tenant solely based on the summoning of police or emergency assistance. Additionally, this bill prohibits residential lease provisions that limit the ability of tenants to seek police or emergency assistance. Eleven other states plus the District of Columbia have passed laws to mandate protections in rental agreements that ensure tenants have the right to call for emergency services.⁵

⁴ California, Illinois, Indiana, Iowa, Louisiana, Pennsylvania, Nevada, Utah, and Wisconsin.

⁵ Arizona, Arkansas, California, Colorado, Iowa, Louisiana, Minnesota, New York, South Dakota, Texas, and Utah.