



**HB0691 - Landlord and Tenant – Failure to Repair Serious and Dangerous Defects
- Tenant Remedies (Tenant Safety Act)**

**Hearing before the House Environment & Transportation Committee,
Feb. 24, 2023, 1:00PM**

Position: SUPPORT (FAV)

Chesapeake Physicians for Social Responsibility is a non-profit organization of over 900 physicians, medical students, other health care providers and supporters whose mission is to address the existential threats to public health through a lens of racial and social justice. Because housing is a major social determinant of health, this includes the pursuit of housing that is not a danger to health and safety.

We support House Bill 0691, the Tenant Safety Act, because it will help more renters living under dangerous conditions have access to escrow as a pathway to safer living conditions. An underlying problem is the shortage of available and affordable housing for the very low income families who earn up to only 30% of the area median income. <https://nlhc.org/gap/state/md> . That should not translate into such families having to live under substandard conditions. A Harvard Joint Center for Housing Studies report from 2020 reported that some low-income households, even when spending a large part of their income on housing, aren't getting adequate housing. Over 6% of renters live in severely inadequate housing having one or more serious physical problems related to heating, plumbing, and electrical systems or maintenance. https://www.huduser.gov/portal/Publications/pdf/WorstCaseNeeds_2015.pdf

Of special concern is the effect on children in such situations..There is the physical harm. A Pew Report from 2005 noted that children in substandard housing had more asthma, infectious diseases, lead poisoning, injuries and in the case of fires, more deaths. <https://www.pewtrusts.org/-/media/assets/external-sites/health-impact-project/massachusettsrentalvoucherprogram.pdf> Substandard also takes a psychological toll on children. As if their lives were not important to society: “poor housing quality was most consistently associated with children's and adolescents’ development, including worse

emotional and behavioral functioning and lower cognitive skills.”

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3766502/>

Many more tenants suffer from uninhabitable living conditions than file for rent escrow. Obstacles include fear of retaliation and abuse by unscrupulous landlords, fear of facing landlords in court, unaffordable filing fees and time missed from work. These factors help to explain the low numbers of rent escrow actions filed by individual renters each year.

HB0691 reduces the likelihood of intimidation of individual tenants and overcomes the lack of financial resources by allowing them to file with a group of tenants in a similar situation, without filing fees as an obstacle.

HB0691 strengthens the remedies available to tenants and may lead landlords who have been responsible for some of the most unhealthy housing conditions, especially larger corporate landlords, to reconsider the price of inadequate housing.

HB0691 mirrors an existing procedure in New York City, one that routinely supports tenants in addressing harmful building conditions quickly and collectively. Our organization supports the Tenant Safety Act because we believe Maryland renters deserve the same opportunity to build power for better housing.

HB0691 facilitates tenants in demanding necessary housing improvements that would benefit all Marylanders, renters and homeowners alike. The bill allows a single tenant or a group of tenants, incorporated or unincorporated, living on the same premises with the same landlord, to seek repairs, damages for unaddressed repairs, and attorney's fees.

HB0691 also codifies the already-existing implied warranty of habitability and clarifies tenants' right to enforce it. Landlords are currently required to ensure their properties are suitable for human habitation, but negligent landlords often freely collect rent without being held to this basic, common-sense standard.

Chesapeake Physicians for Social Responsibility is a member of the Renters United Maryland coalition and asks that the Committee **issue a report of FAVORABLE on HB0691.**

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