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HB1023 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

**Hearing before the House Environment and Transportation Committee,
Feb. 28, 2023**

Position: FAVORABLE

Public Justice Center (PJC) is a nonprofit public interest law firm that assists over 800 renters each year. We stand with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing. PJC believes House Bill 1023 is a critical measure to protect renters' property rights, enhance public safety and cleanliness, and bring the state in line with other jurisdictions that have solved the issue of abandoned property post eviction. **Renters need and deserve reliable notice of the eviction date** so that they can exercise their statutory right of redemption (to "pay to stay" before eviction) or to leave the property without loss of personal belongings. **Equally, Maryland renters (like most renters in the country) deserve a reclaim period after eviction occurs**, to mitigate the financial and personal loss that evictions cause. HB1023 would give tenants notice they may be at risk of losing their personal property through eviction by requiring the landlord to send a notice to the tenant of the scheduled eviction date 14 days in advance, and provide a seven (7) day reclamation period. This is a sensible and humane bill that brings our state up to speed with the rest of the country.

In the state of Maryland renters have less rights over their personal property post eviction than in any surrounding state. From our neighboring states, Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware and Virginia all have reclamation periods to allow tenants to access to their property. Nineteen states and D.C. require notice, the tenant's right to reclaim, and give the landlord some duty to store the tenant's property. An additional nine states require notice and a right to reclaim. Even without the notice requirement, thirty-three states have reclamation periods that are longer than 24 hours. Maryland is unfortunately not one of these states that addresses the issue of tenant belongings post eviction. The state of Maryland is woefully behind on this important tenant rights and public safety measure.

HB 1023 will also help smooth out the chaos of the eviction process, which benefits the public, landlords, and tenants. In most of Maryland, after an eviction, a tenant's personal belongings – from lifesaving medication to boxes of trash and clutter to birth certificates – are thrown out into the street and create clutter that blocks sidewalks and rights-of-way, thus creating a public safety risk and blight in the community. Not only would a 14-day notice give tenants the opportunity to plan ahead and collect

their personal property for the pending eviction, but a reclamation period would mean that property would be kept in safe places and would keep our public streets clean.

Additionally, landlords would not have to continue in the hassle of paying workers to conduct an immediate “trash out” of the tenant’s belongings into the public view. Not only is this costly to the landlord in order to have access to the property, but, in the event an eviction is cancelled, the landlord would not have spent money on workers that were not needed.

In Baltimore City, where PJC represents clients, we often see issues where the tenant loses everything and has no legal right to access their belongings post-eviction, despite the fact that the landlord does not immediately dispose of those belongings after an eviction. This bill addresses this issue for both landlords and tenants in a humane, clean, and manageable way.

Public Justice Center is a member of the Renters United Maryland coalition and asks that the Committee **issue a FAVORABLE report on HB 1023**. If you have any questions, please contact Albert Turner, Esq., turnera@publicjustice.org (410) 625-9409 Ext. 250.