



Bill No: HB 1023 – Real Property – Landlord and Tenant – Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Committee: Environment and Transportation

Date: February 28, 2023

Position: Unfavorable

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.

HB 1023 requires housing providers to provide tenants with a 14-day notice of an eviction prior to the scheduled repossession of the unit as set by the Sheriff’s Office. In AOBA’s experience, tenants already receive ample notice of a looming eviction. Furthermore, the current backlog of evictions in Montgomery and Prince George’s Counties has made it difficult to schedule evictions with the Sheriff’s Office particularly during the fall and winter months when inclement weather can lead to eviction cancellations on the day of.

This bill also creates an additional burden on the housing providers to store an evicted tenant’s property for up to 7 days. Housing providers typically do not have empty storage space, so this requirement would likely result in the tenant’s belongings remaining in the unit for 7 days following the eviction. This burden adds to the losses incurred by the housing provider because it extends the amount of time it would take to turn over the unit. Lastly, it is unclear whether a sheriff would then need to be present after the 7-day period expires so that the housing provider can dispose of the abandoned property.

For these reasons, AOBA urges an unfavorable report on HB 1023. For further information, contact Brian Anleu, AOBA Vice President of Government Affairs for Maryland at (240)381-0494 or banleu@aoba-metro.org.