

Testimony to the House Environment & Transportation Committee
HB 691 – Landlord and Tenant – Failure to Repair Serious and Dangerous Defects – Tenant Remedies (Tenant Safety Act)
Position: Favorable
Economic Action Maryland

February 24, 2023

The Honorable Kumar P. Barve, Chair
House Environment & Transportation Committee
Room 251, House Office building
Annapolis, MD 21401
cc: Members, Environment & Transportation Committee

Honorable Chair Barve and Members of the Committee:

My name is Michael Donnelly from Economic Action Maryland. We are a nonprofit organization that works to advance economic justice and equity statewide through direct service, research, education, and advocacy.

We write today in support of House Bill 691.

Our Tenant Advocacy program provides assistance to renters and property owners in every Maryland county. We provide information on rights and responsibilities and make referrals to other organizations when necessary. A significant source of complaints we hear arise from substandard conditions and the rent escrow process.

While the rent escrow process intends to address threats to health and safety by encouraging landlords to make repairs, in reality it can be far from effective. Renters frequently report an unwillingness to employ rent escrow due to poor experiences in the past, even when they're living in horrendous conditions.

The process requires people to file in court, pay their rent into an escrow account, and attend hearings to discuss the conditions and status of repairs. This process can require considerable time and energy for the process to work. But many times, it doesn't work, and so renters are often wary or unwilling to try the process again.

Beyond this, rent escrow is particularly poorly suited to conditions issues that renters face collectively. In one instance, the heat was out for months during the winter – but when renters filed individual rent escrow complaints the outcomes were far from uniform. Some could employ the escrow process, but some could not. This isn't just harmful for renters, it harms property owners that must respond to multiple complaints arising from the same situation, and it harms the judiciary when cases based on the same facts result in dissonant outcomes.

House Bill 691 provides a solution where threats that threaten health and safety are experienced in common with other renters. If enacted, it would provide procedures for collective rent escrow actions where the complaints arise out of a common harm. It would reduce the time and expense of multiple cases for renters, property owners, and the judiciary. It would

prevent disparate outcomes for cases based on the same circumstances. It would make the rent escrow process more efficient and useful for its intended purpose – to eliminate serious threats to life, health, and safety in rental housing.

For these reasons, we urge a favorable report on House Bill 691.

Respectfully,
Michael Donnelly
Tenant Advocacy Coordinator
Economic Action Maryland