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Committee

Subcommittees

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Motor Vehicle and Transportation



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 691

Tenant Safety Act of 2023

Testimony by Delegate Vaughn Stewart

February 24, 2023 | Environment & Transportation Committee

What the Bill Does:

House Bill 691, the Tenant Safety Act, provides tenants with a legal mechanism for encouraging the repair of “substantial and serious threats of danger” within their living conditions. If a landlord has not made repairs one month after receiving notice, a tenant or group of tenants may:

1. Bring an action of rent escrow against the landlord;
2. Bring an action for money damages against the landlord; and
3. Refuse to pay rent.

The Tenant Safety Act establishes that tenants living within the same complex and facing similar dangers have the right to organize and to bring rent escrow actions as a collective. The bill also requires landlords to reimburse tenants for damages and attorney’s fees if the tenants prevail in court. In addition, the bill would ensure that the tenants’ rent placed in escrow would be used effectively to pay for the repairs, rather than it all going to the landlord. These financial protections would ensure that tenants and groups of tenants can more efficiently seek repairs without having to risk spending money without seeing progress made on the issue.

Why the Bill is Important:

The Tenant Safety Act ensures that tenants have the authority to have their home defects addressed before their health and safety is compromised. Living in poor conditions can cause adverse health effects such as worsened allergies, asthma, respiratory and gastrointestinal infections.

Furthermore, poor ventilation, dangerous building materials, and structural disrepair can all expose tenants to smoke, lead, and radon gas, and carbon monoxide - all of which can cause poisoning and cancer.¹ Allowing a tenant to sue on behalf of themselves and their neighbors solves a collective action problem created by the time-consuming and intimidating nature of filing a lawsuit. In particular, low-income tenants, who are predominantly people of color, are fearful of the unknown—many choose to live in unsafe conditions rather than trust the court system.

HB 691 also provides for a more efficient administration of justice for both tenants and landlords. Forcing each tenant to file a series of piecemeal lawsuits about the same problems in the same building is a waste of time for the parties and a waste of resources for our overburdened judicial system. A method of group lawsuits about common complaints will give all parties the best opportunity for a quick resolution without incurring unnecessary attorneys' fees.

Why the Committee Should Vote Favorably:

This bill protects the authority of tenants to hold their landlords accountable for unsafe and unacceptable living conditions. The right to maintain a safe and healthy home is something tenants should not be denied simply because it's an inconvenient or costly process. Landlords are responsible for providing a safe and liveable environment for their tenants; if they are unable to make the necessary repairs to their properties, they should be held accountable. HB 691 empowers tenants to raise safety concerns to their landlords with the promise that they'll be adequately addressed. Marylanders deserve the right to have their housing concerns met without legal pushback.

I urge a favorable report.

¹ <https://www.ashmansolicitors.com/articles/can-a-housing-disrepair-cause-health-issues/>