



**HB 1023- Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease,
and Tenant Holding Over
House Environment and Transportation Committee
February 28th, 2023
SUPPORT**

Chairman Barve, Vice-Chair and members of the committee, thank you for the opportunity to submit testimony in support of House Bill 1023. This bill will create the Workgroup on Maryland 529 Prepaid College Trust Program.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

CASH 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 taken a balanced approach to personal belongings 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 reclamation period after eviction occurs, to mitigate the financial and personal loss that evictions cause. A "reclamation period" is time post-eviction in which a renter can still gain access to their belongings such as life-saving medicine, electronics, and personal treasures such as photo, mementos, and heirlooms.

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 Maryland into line with the rest of the country.

Right now, Maryland renters have less rights over their personal belongings post eviction than in any surrounding state. Locally, Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware and Virginia all have reclamation periods to allow tenants to access to their property. Out of forty-two states, and the District of Columbia, that have laws related to post-eviction belongings, only five states limit renters' personal property rights as much as Maryland. Of those forty-two states, nineteen states and D.C. require notice of the scheduled eviction date, provide for the tenant's right to reclaim belongings, and give the landlord some duty to store the tenant's property. An additional nine states require notice of the scheduled eviction and a right to reclaim. Even without the notice requirement,

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thirty-three states have reclamation periods that are longer than 24 hours. The state of Maryland is woefully behind on this important tenant rights and public safety measure.

HB 1023 also smooths out the chaos and ugliness of the eviction process, which benefits the public, landlords, and tenants. In most of Maryland, currently, a tenant's personal belongings, from lifesaving medication to birth certificates, are thrown out into the street after an eviction and create clutter and trash that block sidewalks and rights-of-way, creating public safety risks and public blight. HB 1023 provides that after a 7-day, post-eviction reclamation period, the tenant's belongings are considered abandoned and may be disposed of by the landlord in any manner except placing those belonging in the street or public right of way. This benefits all members of the community.

Additionally, landlords would not have to continue paying the additional expense of having workers on hand to conduct an immediate eviction and move all of the tenant's belongings into the street when the Sheriff arrives – as happens currently. Not only is this costly to the landlord in order to have access to the property, but, in the event an eviction is cancelled or postponed, the landlord saves money by not having hired workers for an eviction that is no longer needed.

Thus, we encourage you to return a favorable report for HB 1023.