

S.B.279_Favorable_Prisco.pdf

Uploaded by: Alexis Prisco

Position: FAV

February 9th, 2023
Judicial Proceedings Committee
S.B. 279
Real Property - Actions for Possession - Pet Protections
FAVORABLE

Good afternoon Chairman Smith, Vice Chair Waldstreicher, and members of the committee. My name is Alexis Prisco and I am a high school senior from Baltimore County, Maryland. Last year, I lost my best friend. He was a tan and gray tabby cat and his passing broke my heart. In an effort to raise my spirits, my mom brought home a one-year-old ginger kitten. His name is Simba and he quickly became my roommate, my alarm clock, and my shadow. Simba had been surrendered to the Maryland SPCA after his family was evicted because he was lucky enough to have parents who knew their rights and responsibilities as pet owners. While Simba has a warm home to sleep in, other animals whose families were evicted have been left on the curb simply because there is no existing legislation to ensure that they be given a roof over their heads. The passing of this bill would ensure that any animals whose family is evicted ends up in a shelter, rather than left in the building or stuck out in the cold.

S.B. 279 not only protects the safety and wellbeing of animals, it gives newly evicted families, who may not know where they're going next, one less thing to worry about. Instead of frantically calling every shelter in the vicinity, pet owners and the landlord would directly be given the shelter that their pet was taken to and its contact information. In addition to this information, the evicted family would be required to be given a fact sheet containing options for caring for their pet and information about local shelters to ensure that they best understand their rights and responsibilities as pet owners.

Although the rates of COVID-19 have been declining in the past year, the immeasurable damage left on the economy has yet to be repaired and Maryland's rate of evictions continues to climb back towards pre-pandemic levels with over 4,000 renters being evicted during the summer of 2022 according to an article recently published in the Baltimore Banner. As COVID-era eviction protection policies have begun to expire, this issue is in dire need of attention for not only the safety of the animals being evicted, but also the sanity of the family caring for them.

Thank you for the opportunity to present my testimony and I urge the committee to issue a favorable report of S.B. 279.

Locke_Uhlig_Maryland_Senate_testimony_SB279_final.

Uploaded by: Andrea Uhlig

Position: FAV



STATEMENT OF PAUL A. LOCKE, JD, DRPH AND ANDREA UHLIG, MHS
IN SUPPORT OF SENATE BILL 279
9 FEBRUARY 2023

Our names are Paul Locke and Andrea Uhlig, and we are an Associate Professor in the Department of Environmental Health and Engineering at the Johns Hopkins Bloomberg School of Public Health in Baltimore Maryland and a senior research assistant for the same department and school, respectively. Dr. Locke holds a doctoral degree in environmental health sciences and is also an attorney. He is admitted to practice before the bars of the State of New York and the District of Columbia, and the bar of the United States Supreme Court.¹ Ms. Uhlig has a Master of Health Sciences degree from Johns Hopkins Bloomberg School of Public Health focusing on Environmental Health.

As Hopkins scientists, along with our colleagues, we have been studying issues associated with pets – also called companion animals – and their role in improving public health and welfare.² Our aim in submitting this testimony is to bring these experiences and research perspectives into the analysis of SB 279. In addition, before his appointment at Hopkins, Dr. Locke’s was engaged in the practice of law. He represented clients in environmental matters and also advised them regarding real estate transactions. This testimony also captures lessons from Dr. Locke’s legal work.

As we understand it, SB 279 is meant to protect pets and their owners. It sets out a four-part strategy to achieve its objectives. First, the bill requires that the Department of Agriculture develop a fact sheet. This fact sheet will provide information about how to care for and protect companion animals if a person is evicted or loses possession of their real property. The fact sheet must include information about state and local resources, including animal shelters and animal rescue organizations. Second, if a landlord knows that a tenant has a companion animal, the bill requires that the landlord include in their lease a description of this fact sheet, and where it is located. Third, the bill requires that certain warrants issued for tenant eviction or loss of real property include information about where the fact sheet is located. Fourth, the bill requires that when real property is delivered back to a landlord or other person, an appropriate state or local official must take certain actions to make sure that companion animals are not abandoned, and provide information to their owners about the shelter and/or rescue organization to which the companion animals were taken, and vice versa.

As we explain below, the provisions of Senate Bill 279 align squarely with public health science and standard practices in disclosure in real estate law. Based on our research and practice, we believe that SB 279 will benefit Marylanders, and we strongly support its passage.

¹ Dr. Paul Locke is not admitted to practice law in Maryland.

² Our companion animal/one health research was supported by a grant from the Lipitz Public Policy Award Program at the Johns Hopkins Bloomberg School of Public Health. It will be published in an upcoming issue of the Maryland Journal of Health Care Law & Policy.



1. *SB 279 is consistent with public health research and has the potential to improve public health for Maryland's citizens, especially those who own companion animals.*

As written, one of SB 279's objectives is to protect, and assist in care for, companion animals (domesticated cats and dogs) if Marylanders are evicted from a leasehold or lose possession of their real property. This is an important public health goal. Our research, and the research of other public health scientists, has demonstrated that the human-companion animal bond strengthens both individual and community health. This idea is accepted in the health community and is captured under the concept of "one health." The one health concept recognizes that the health of communities and individuals is closely related to the health of animals and our shared environment. A key one health concept is that the human-companion animal bond that develops between pets and owners enhances human health.

Simply put, when the human-pet bond is broken, public health suffers. This is especially true among those in low income and vulnerable communities – those Marylanders at much higher risk of being evicted. Passage of SB 279 will be of great benefit to these families.

SB 279 incorporates a one health approach. Not only does it provide initial notice to tenants and landlords about how to care for animals in the event of eviction, the bill also creates an important follow-up mechanism so that if eviction occurs, the appropriate official can intervene to help preserve the companion animal-human bond. It also activates the animal shelter and animal rescue community. If a companion animal is taken to such a facility, the owner will be provided with information about where the companion animal is housed so that the owner and pet can be more easily reunited. In addition, the shelter or rescue facility will receive information about the pet owners so that they can reach out directly and attempt to reunite people with their pets.

2. *SB 279's lease provisions reflect standard practices in real estate disclosure.*

It is standard practice to add environmental and other disclosures to written landlord-tenant lease agreements. Such provisions protect both tenants and landlords by clarifying rights and responsibilities and giving notice about additional resources. One common example is the federal law provision relating to disclosure about potential lead hazards that is required to be made for most rental property that was constructed prior to 1978. The provision in SB 279 requiring a description of the Department of Agriculture's Pet Protection fact sheet falls squarely within this standard practice. Like other such disclosures, it reflects an incremental change that has considerable potential health benefits, as explained in under heading 1.

Thank you for the opportunity to offer comments on this important bill. If you have any questions about our testimony, or need more information, please contact us via email at auhlig3@jhu.edu and plocke@jhu.edu.

Please be aware that we are submitting this testimony in our individual capacity and that the views expressed do not necessarily reflect the official policy or position of Johns Hopkins University or Johns Hopkins Bloomberg School of Public Health.

Written Testimony_SB279_Real Property Actions for

Uploaded by: Caroline Griffin

Position: FAV

Senate Bill 279

TO: Members of the Judicial Proceedings Committee

DATE: February 8, 2023

FROM: Caroline A. Griffin, Esquire *ef*

RE: **SB 279 – Real Property – Actions for Possession – Pet Protections**

POSITION: **SUPPORT**

Chairman Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee. My name is Caroline A. Griffin; I am an attorney and reside in Baltimore City. I served as Chair of the Baltimore Mayor's Anti-Animal Abuse Advisory Commission from 2009 – 2013 and currently chair the Maryland Spay Neuter Advisory Board. I am the co-founder of the non-profit Show Your Soft Side, a national anti-cruelty campaign, and currently serve on the Board of the Animal Welfare Institute. I support SB 279 – Real Property – Actions for Possession – Pet Protections.

SB 279 codifies best practices for protecting animals during an eviction. While the Baltimore Sheriff's Office has implemented these practices and contacts BARCS Animal Shelter to take possession of animals during an eviction, this policy is not enforced uniformly. Accordingly, legislation is needed, even in jurisdictions where agencies have taken steps to prevent animal abandonment during evictions.

On January 6, 2022, a citizen contacted my non-profit, Show Your Soft Side, seeking assistance following a family member's eviction from an apartment on Frederick Road in Baltimore City. The citizen reported that 3 cats were left in the apartment and that neither the deputy sheriff nor the landlord allowed the tenant to retrieve her cats. We instructed the citizen to contact Baltimore City Animal Control, who removed the animals the following day. *A copy of this Service Request is attached.* Fortunately, in this instance, a concerned citizen notified the authorities; many animals are not so lucky.

Abandoned animals endure extreme suffering. Six years ago, Baltimore Raven Ronnie Stanley, an ambassador in the Show Your Soft Side campaign, adopted his dog Lola from BARCS Animal Shelter. Lola, who was found locked inside a room of an empty house without food or water, attempted to eat through a wall to escape. As forensic veterinarian Martha Smith-Blackmore notes in an upcoming book:

Animals enclosed in spaces without access to food may pace or dig or chew at corners, walls, window frames or doorways out of frustration, hunger or in an attempt to escape, leaving claw or chew marks from their efforts. Animals in late-stage starvation will be too weak to stand or reposition themselves, and the skin may be more vulnerable to trauma. These animals may suffer from pressure sores over bony prominences, urine scald or flystrike with maggot activity.¹

Baltimore City Animal Control regularly responds to service requests in response to citizens who have abandoned animals at former residences. Animals are found both dehydrated and emaciated, and tragically, deceased at times. Animals that survive after being abandoned for several days or weeks require extensive veterinary care, which our municipal animal shelters – and ultimately taxpayers – must pay.

Aside from preventing enormous suffering, SB 279 is common sense legislation that ultimately saves taxpayer dollars by reducing the burdens on municipal shelters. I urge you to issue a favorable report.

Respectfully submitted,



Caroline A. Griffin, Esquire

8 February 2023
Date

ⁱ Investigating Animal Abuse Crime Scenes: A Field Guide, CRC Press/Taylor and Francis Group by Drs. Virginia Maxwell and Martha Smith-Blackmore. Dr. Maxwell is a professor at the University of New Haven's Henry C. Lee College of Criminal Justice and Forensic Science. Dr. Smith-Blackmore was a Visiting Fellow at the Harvard Law School's Brooks McCormick Jr. Animal Law & Policy Program in 2022.

Service Request Summary Report

22-00013327

Printed Date: Feb 23, 2022 - 8:37:27 AM

Type: HLTH-Animal In
 Danger/Injured/Abused/Neglected
Created By: Lynne Hellman
Service Request Owner: HLTH_ANIMAL
Method Received: Phone
SLA Detail: 3 Business Days

SR #: 22-00013327
Priority: Urgent
Status: Closed
Status Date: Jan 07, 2022 11:38:17 AM
Created Date: Jan 06, 2022 5:28:54 PM
Overdue on: Jan 11, 2022 5:28:54 PM
Closed on: Jan 07, 2022 11:38:17 AM

Location: 4119 FREDERICK AVE, Baltimore City,
 21229

Location Details:

Description: apartment 3 the owner of the apartment is jenifer jones her address is 3818 park heights 443 414 -4092

Service Questions

Questions	Answers
This service request is to be used for domestic animals only (e.g. dogs, cats, etc.). Is this concern about a domestic animal?	Yes
Is the animal trapped in a vacant building?	Yes
What is happening to the animal?	citizen said the tenants were evicted yesterday citizen said the landlord refused to let them retrieve their cats citizen said there are 3 cats they have been in there since yesterday with no food or water
Is the animal suffering or in immediate danger of death?	Do not know
Have you called the police?	No
Where is the animal precisely located ?(e.g., inside, outside, street address, intersection, business name, etc.):	inside apartment #3
What type of animal?	cats
What is the size of the animal?	Medium (tri-cycle)
What color is the animal?	tabby
List any distinguishing features (e.g., stripes,spots, patches, scar, missing limb, etc.):	
Do you know the animal's owner?	Yes
Owner's name?	joann koros
Describe the owner:	5'2" average height
Is the owner present/at home?	

Contact Information

Name	Address	Email	Phones/Extensions
cynthia murray		locketsbyangel@gmail.com	+1 (443) 604-7112

Service Activities

Activity Name	Status	Assigned To	Outcome	Outcome Reason	Finish Date
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Service Response	Complete	Jessica Novak	Work completed	Resolved	1/7/2022 11:34 AM
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Resolution Questions

Service Activity	Resolution Question	Resolution Answer
Service Response	Is this a Neglect or Cruelty case?	

Comments

Comment	Comment By	Created Date
Service Response : AEO Novak/Genis on 1/7/22 at 1115am, p/u three cats from eviction that happened on 1/5/21. Owner, Joann Koros (410-651-4270) was on scene and would like cats back once she finds a place to live. Cats are "Baby Girl", "Patches" and "Nippy" (all DSH, gray/white). "Baby Girl" does have matts on her back. Owner was given BARCS number to call about the KPWF program.	Jessica Novak	1/7/2022 11:38 AM

Related Child Service Requests

Related Parent Service Requests

Report Date: Feb 23, 2022 - 8:37:27 AM

SB279 Humane Rescue Alliance FAV - Hovermale.pdf

Uploaded by: Emily Hovermale

Position: FAV



**HUMANE
RESCUE
ALLIANCE**
Animals. People. Community.

February 9, 2023

Judicial Proceedings Committee
Maryland Senate
11 Bladen St
Annapolis, MD 21401

RE: Humane Rescue Alliance SUPPORT for SB279 – Real Property - Actions for Possession - Pet Protections

Dear Chairman Smith, Vice Chair Waldstreicher, and Honorable Members of the Judicial Proceedings Committee:

On behalf of the Humane Rescue Alliance, thank you for the opportunity to submit testimony in support of SB279, legislation to help protect pets and their owners by putting in place basic guardrails for pet owners when evictions happen.

The Humane Rescue Alliance honors more than 150 years of commitment to protecting animals, supporting families, and advocating for positive change to create a world where all animals can thrive. We are the largest animal services provider in our region, touching the lives of over 100,000 animals annually through adoption, community veterinary care and other support services, and lost pet reunification. Last year, we helped over 4,000 Maryland families find their new animal companions.

According to the American Pet Products Association's National Pet Owners Survey for 2021-2022, pet ownership has increased to an estimated 70% of U.S. households, and studies consistently show that the vast majority of people consider pets to be an important member of the family. The importance of animal companions cannot be overstressed, and peer reviewed studies show that the bond between people and their pets is linked to several health benefits including decreased feelings of loneliness, anxiety, and symptoms of PTSD.

As an animal sheltering organization, we regularly witness the separation of pets from their families caused by eviction. For someone who is in crisis losing their housing, the added trauma of being separated from a beloved pet is unimaginable. SB279 creates basic protections to help pet owners who are faced with eviction to keep or be reunified with their pets:

- The Department of Agriculture must create a fact sheet with resources for pet owners facing evictions, such as options for caring for your pet and how to contact your local shelter. This fact sheet must be provided to tenants who have pets and to all tenants who are facing eviction.
- After an eviction, the property must immediately be checked for pets, and any pets found should be either reunited with the owner or taken to the local animal shelter.
- Should a pet be taken to an animal shelter, the shelter should have the name and contact information of the owner, and the owner should be given the information for the shelter.
- No pets can be left with property on the curb after an eviction.

While these practices seem commonsense, and many jurisdictions and landlords do many of these practices voluntarily, we want to ensure that these safeguards are codified and universal. These practices are the most basic of protections for pets and their owners. We should do everything we can to keep pets out of animal shelters and with the people who love them.

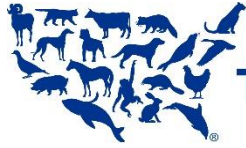
For these reasons, I respectfully request a favorable report for SB279.

Emily Hovermale
Director of Government Affairs
Humane Rescue Alliance

SB279_FAV_HSUS.pdf

Uploaded by: Jennifer Bevan-Dangel

Position: FAV



**THE HUMANE SOCIETY
OF THE UNITED STATES**

February 9, 2023

Judicial Proceedings Committee

SB 279

Real Property - Actions for Possession - Pet Protections

FAVORABLE

The Humane Society of the United States (HSUS), on behalf of our Maryland supporters, strongly supports Senate Bill 279, which will establish basic guardrails to protect and inform pet owners and pets when evictions happen. This legislation is increasingly urgent as eviction rates rise to pre-pandemic levels.

Throughout 2020, in the face of an unprecedented public health emergency, our nation took immediate action to keep families stably housed by swiftly enacting eviction moratoriums and funding emergency rental assistance—critical tools that helped keep families and their pets at home. These temporary actions offered vital protections to tens of millions of renters at risk of eviction, and we've seen how critical layering protections at the state and local level were as the federal safety nets expired and a growing number of households fell behind on paying rent and utilities.

Animal and human welfare cannot be viewed independently and if we want to protect pets, we must also protect the people who are caring for them. A 2015 study by the ASPCA found that, among renters and especially for renters of lower income, housing insecurity was cited as the number one reason for pet relinquishment. The study found that while poverty itself is not a driver in pet retention, the ability to access affordable options for pet care and services was an important factor in otherwise capable and caring families in keeping their pet.

As tenant protections fade, eviction filings that were previously curtailed are moving forward and mounting rent debt may mean we're on the brink of a mass eviction crisis. According to the National Equity Atlas, 102,000 Maryland households are behind on rent with an estimated \$322,800,000 owed in rent debt. Now more than ever, with so many of us experiencing unparalleled isolation and are housing insecure, the importance of companionship cannot be overstressed; and certainly, for someone who is already facing the trauma of losing their home, the added trauma of being separated from their pet is unimaginable.

The provisions of Senate Bill 279 will help ensure that those facing displacement are provided with the resources and information necessary to reunify with their beloved pets in case they are separated. If a pet is removed from the premises, active contact information for the owner is to be communicated with the animal shelter. The bill additionally requires that a unit is thoroughly searched for any pets, regardless of whether the tenant was permitted to keep animals on the property, to guarantee that no animal is forgotten.

Every one of these provisions comes from horror stories we have heard from both shelter and rescue partners, as well as housing advocates, regarding situations they directly witnessed. While these practices seem common sense, and many jurisdictions and landlords do many of these practices voluntarily, we want to ensure that these practices are codified and universal.

Too often when families are torn apart because information is not shared, and resources meant to serve our most vulnerable are left untapped. These practices are not onerous; they can be implemented through existing processes, and they create a necessary level of protection for our pets and their owners. We thank the committee for your passage of this bill last year and request your renewed support of SB 279 this session.

Health Care for the Homeless - 2023 SB 279 FAV - P

Uploaded by: Joanna Diamond

Position: FAV

HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
SB 279 - Real Property - Actions for Possession - Pet Protections

Senate Judicial Proceedings Committee
February 9, 2023



Health Care for the Homeless supports SB 279, which would establish common-sense protections for families and their pets when facing eviction, such as providing owners with information about resources and where to find their pet if taken can protect families facing evictions. Unfortunately, many of our clients with pets face eviction and resources would be hugely helpful to manage that stressful situation.

On the Housing Services team at Health Care for the Homeless, our job is to help clients get connected to housing, navigate the process of searching for and transitioning to permanent housing, and then we provide supportive services to help them maintain their housing placements. Sadly, we have seen too many of our clients face eviction. In this scenario, if a client has a pet, one of the most detrimental effects can be the displacement and separation from their pet.

Many of the clients we work with often present with various mental health symptoms, such as anxiety, depression, trauma-related symptoms, and social disengagement. There is extensive research that supports the therapeutic effect of animals with those who are experiencing mental illness. Pets can improve your mood, they can decrease anxiety, they can increase your social interactions, they can help you cope with stress more effectively, and they can offer comfort and belonging to a client population that often feels overlooked or discarded. As such, many of our providers recommend an emotional support for their clients. However, in the case of an eviction, the next best thing is ensuring that their pet is safe with the hopes of being reunited with them in the future.

One client, Mr. Smith,¹ had a beloved dog in his home but when he suffered a stroke and lost his job, he experienced homelessness for three years after. He had to stay in a shelter that would not allow dogs. Luckily for Mr. Smith, his dog was able to stay with a friend until he was able to find permanent housing. In 2021, Mr. Smith was matched to permanent housing with supportive services through Health Care for the Homeless. One of his biggest goals was to be able to reunite with his dog in his new home. After Mr. Smith's friend had kept his dog safe during that time, Mr. Smith was finally reunited with his dog. His health dramatically improved. Where he used to walk with a walker, he now takes his dog for walks, and no longer needs his walker to ambulate. He enjoys introducing his dog to neighbors on their walks, which has increased his social engagement and sense of belonging in his new neighborhood. He is able to remain calm and cope with stressful situations much more effectively now that he has his dog back in his home.

Mr. Smith is lucky. Unfortunately, that is not the case for many of our clients who are faced with the devastating situation of an eviction and no resources for their beloved pets, forcing them to potentially put their pets in unsafe and unsecure situations. It would be very helpful to have a compiled list of resources to

¹ Pseudonym used for confidentiality purposes.

aid people facing eviction with finding their pet safe shelter. For these reasons, we urge a favorable report on SB 279.

Health Care for the Homeless is Maryland's leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We work to prevent and end homelessness for vulnerable individuals and families by providing quality, integrated health care and promoting access to affordable housing and sustainable incomes through direct service, advocacy, and community engagement. We deliver integrated medical care, mental health services, state-certified addiction treatment, dental care, social services, and housing support services for over 10,000 Marylanders annually at sites in Baltimore City and Baltimore County. For more information, visit www.hchmd.org.

SB279.pdf

Uploaded by: Katherine Flory

Position: FAV



2/8/23

Chair Smith, Vice Chair Waldstreicher, and members of the Committee, thank you for the opportunity to testify today in favor of S.B. 279. My name is Katie Flory, and I am the Community Care & Advocacy Director for the Maryland SPCA. Can you imagine coming home and finding out you have been evicted from your home? You are not sure what to do next and where to go. You are not able to get into your house and on top of all of that you do not know where your pet is? This happens frequently to people across the state. The Maryland SPCA and shelters across the state receive calls frequently from people trying to find their pets due to eviction. We hear the fear and panic in their voices. They do not know where to start looking for their pets or if they will ever see them again.

When COVID-19 pandemic started, our nation took immediate action to keep families stably housed by swiftly enacting eviction moratoriums and funding emergency rental assistance—critical tools that helped keep families and their pets at home. Those protections were crucial, but as they start to evaporate, we must put in place a new set of emergency protections – ones that create guardrails to protect families facing eviction in the near future.

S.B. 279 establishes basic guardrails to protect and inform pet owners when evictions happen. There are 4 basic provisions in the bill. These include:

- The Department of Agriculture must create a fact sheet with resources for pet owners facing evictions, such as options for caring for your pet and how to contact your local shelter; that fact sheet must be provided to tenants who have pets and to all tenants who are facing eviction.
- After an eviction, the property must immediately be checked for pets and those pets should be either reunited with the owner or taken to the local shelter.
- Should a pet be taken to a shelter, the shelter should have the name and contact information of the owner and the owner should be given the information for the shelter.
- No pets can be left with property on the curb after an eviction.

While many jurisdictions and property owners do many of these practices voluntarily, we want to ensure that these practices are universal and do everything we can as a state to keep pets and people together.

Thank you for your time and I urge the Committee to give a favorable report of S.B. 279



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While many jurisdictions and property owners do many of these practices voluntarily, we want to ensure that these practices are universal and do everything we can as a state to keep pets and people together.

Thank you for your time and I urge the Committee to give a favorable report of S.B. 279

MSBA.SB279.Final.pdf

Uploaded by: Kimberly Fullerton

Position: FAV

MARYLAND STATE BAR ASSOCIATION ANIMAL LAW SECTION

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Maryland State Bar Association Animal Law Section
Kimberly L. Fullerton, Esq.
301-870-9555
RE: Senate Bill 279 – Real Property – Actions for Possession – Pet Protections
DATE: February 7, 2023
POSITION: Support

The Maryland State Bar Association Animal Law Section is in support of SB 279, a bill which would establish procedures to protect companion animals and due process rights during an eviction.

I. Maryland Has Failed to Establish Eviction Procedures or Protections for Companion Animals

This bill is necessary to address a gap in Maryland law. Current legislation fails to provide any form of procedure for the removal of a tenant's companion animal after real property has been restored to a landlord. This bill will close the legal gap by establishing appropriate procedures and delineating a course of conduct for the inspection, removal, and protection of pets during an eviction.

II. The Due Process Clause Requires Establishment of a Procedure for the Removal of Companion Animals When Possession of Real Property is Restored to a Landlord

The Due Process Clause requires that government officials follow fair procedures before depriving a person of their property. Because companion animals are designated merely as personal property, certain circumstances which deprive tenants of their pets will trigger constitutional protections of the Due Process Clause.

The procedures established by SB 279 would appropriately satisfy due process requirements, close a gap in the law, and reinforce Maryland's constitutional protections. The Maryland State Bar Association urges a favorable report.

Respectfully Submitted,

/s/

Kimberly Fullerton,

Immediate Past Chair, Maryland State Bar Association Animal Law Section

Vice Chair, American Bar Association Animal Law Committee

cc: Maryland State Bar Association

MMHA_FAV_SB279_FINAL.pdf

Uploaded by: Lauren Graziano

Position: FAV



Date: February 9, 2023

Committee: Judicial Proceedings

Bill: Senate Bill 279

Position: Favorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland.

Senate Bill 279 (SB 279) provides additional protections for the treatment of pets during eviction proceedings. It requires the Department of Agriculture (Department) to develop and publish guidelines on how to care for and protect pets in the event a person is evicted or loses possession of their property. These guidelines must include information on local rescue organizations and shelters.

Housing providers must offer a description of these guidelines to the resident upon execution of a lease, and where to find the guidelines on the Department's website. The bill imposes an identical requirement on the Maryland Judiciary to provide a description of the guidelines, and where they are published, along with a warrant for failure to pay rent or tenant hold over cases.

The bill requires the sheriff to inspect the premises for pets at the time of eviction and, if a pet is present, return it to the former resident or contact an animal rescue or shelter to take the pet. If the pet is taken to an animal rescue or shelter, the resident must be provided the name and contact information of the organization.

Lastly the bill prohibits a pet from being removed from the repossessed property and abandoned.

SB 279 was previously introduced as Senate Bill 816 (SB 816) during the 2022 legislative session. MMHA requested several amendments to SB 816, all of which are reflected in SB 279. MMHA truly appreciates the time and engagement from the sponsors as well as the advocates on this bill.

As such, MMHA supports SB 279, and respectfully requests a favorable report.

For more information, please contact Lauren C. Graziano, Senior Government Affairs Manager, at 518-522-3529

Real Property - Actions for Possession - Pet Prote

Uploaded by: Lisa Radov

Position: FAV



MARYLAND VOTES FOR ANIMALS

PO Box 10411
BALTIMORE, MD 21209

February 9, 2023

To: Senate Judicial Proceedings Committee
From: Lisa Radov, President and Chair, Maryland Votes for Animals, Inc.
Re: Real Property – Actions for Possession – Pet Protections – SB 279 - Support

Chair Smith, Vice - Chair Waldstreicher, members of the Judicial Proceedings Committee, thank you for the opportunity to testify before you today. My name is Lisa Radov and I am the President and Chairman of the Maryland Votes for Animals, Inc. We champion legislation to improve the lives of animals in Maryland. On behalf of our board of directors, as well as the thousands of members of Maryland Votes for Animals, I respectfully ask that this committee vote favorably for Real Property – Actions for Possession – Pet Protections – SB 279.

This bill creates a process that ensures pet owners are informed about their rights and responsibilities regarding their pets in the event of an eviction. Landlords would be required to provide a sheet prepared by the Department of Agriculture with resources for pet owners facing evictions including local shelter contact information. Immediately following an eviction, landlords would be required to check the property for pets, with the stipulation that any pets found on the property would either be reunited with their owner or taken to a shelter where the owner and shelter would both receive contact information from the landlord. Pets from an evicted family could not be left outside on the curb with a tenant's property after an eviction.

Covid has not only exacerbated the problem of housing insecurity, but also it has cast a spotlight on the increasing number of families with pets who face eviction. Eviction numbers are increasing for the first time since 2019 as most of the local and federal evictions bans put in place during the pandemic are no longer in effect. While some landlords may provide notification to renters about what to do with their pets in the case of an eviction, we have heard from far too many families that they cannot find where their pets were taken after an eviction. Moreover, our shelter and rescue partners have been receiving pets from these properties with no contact information. This creates difficult situations for the shelters and rescues as they cannot determine if the pet was abandoned - or belongs to a family that would want to reclaim their cherished pet.

Unfortunately, "best practices" aren't being done uniformly by landlords. They need to be codified. Landlords and property managers are accustomed to following the requirements of federal, state, and local laws to inform tenants of policies, facts, and rules in writing about the property. These disclosures can either be included in the lease or rental agreement, or some other form of writing, and are typically shared with the tenant prior to move-in, such as written disclosure of possible lead paint in buildings constructed before 1978.

The steps required in this bill are not difficult to implement and will protect vulnerable families and their beloved pets during a very difficult time. This bill received a favorable vote in this committee last year and passed the House 130-1. Let's make 2023 the year that we pass HB 102 so that we don't separate people and pets!

Thank you to Senator Waldstreicher for sponsoring SB 279. I urge this committee for a favorable report.

HB0102-RealPropertyNoPetLeftBehind-Favorable.pdf

Uploaded by: Nelda Fink

Position: FAV

Favorable with Amendments – HB0102/SB0279 Real Property - Actions for Possession - Pet Protections

I'm not sure using the MD Agriculture's site as a repository for this information is the appropriate place.

The bill only addresses cats and dogs. Many people have many other types of pets, which the landlord may or may not have approved, such as pigs, rabbits, hamsters, birds, and snakes. I believe any animal the tenant included in their living space should be included in this bill.

No pet left behind!!

I'm in favor of this bill and strongly urge the legislators to also consider my testimony, make the recommended changes and support this bill.

Thank you.

Nelda Fink
MD District 32

SB0279 Real Property Actions for Possession Pet P

Uploaded by: Patty Crankshaw-Quimby

Position: FAV



**Maryland's Association of Animal Care and Control
Agencies and Humane Societies**

**PO Box 1143
Easton, Maryland 21601**

**SB0279 - Real Property - Actions for Possession - Pet Protections
Maryland House of Delegates Environment and Transportation Committee**

February 2, 2023

Dear Honorable Chairman Smit, Vice-Chairman Waldstreicher, and members of the committee:

Professional Animal Workers of Maryland, the state organization comprised of animal control agencies and humane societies unanimously supports and encourages a favorable and speedy report on SB0279. As the agencies often tasked with removing and/or accepting animals which are victims of eviction, we see daily the toll this takes on citizens, animals and our agencies. Animals have been left in dwellings for weeks, left on curbsides with household items, and have been taken to shelters with no information for the agency to contact the owner, nor information for the owner to find their pet.

This bill will put into place very basic safeguards which will protect animals and pet owners:

- The Department of Agriculture must create a fact sheet with resources for pet owners facing evictions, such as options for caring for your pets and how to contact your local shelter; that fact sheet must be provided to tenants who have pets and to all tenants who are facing eviction.
- After eviction, the property must be immediately checked for pets and those pets should be either reunited with the owner or taken to the local shelter.
- Should a pet be taken to a shelter, the shelter must be provided the name and contact information of the owner and the owner should be given the information for the shelter.
- No pets are to be left with property on the curb after eviction.

Professional Animal Workers of Maryland believes the passing of this bill is one more tool to reunite pets with owners and protect the wellbeing of animals and citizens in Maryland. We respectfully ask for a favorable report on this bill.

Please feel free to contact me with any questions or concerns.

Sincerely,

Patty Crankshaw-Quimby, CAWA

Executive Director/Chief Animal Control Officer: Talbot Humane/ Talbot County Animal Control

President: Professional Animal Workers of Maryland

Locke_Uhlig_Maryland_Senate_testimony_SB279_final.

Uploaded by: Paul Locke

Position: FAV



STATEMENT OF PAUL A. LOCKE, JD, DRPH AND ANDREA UHLIG, MHS
IN SUPPORT OF SENATE BILL 279
9 FEBRUARY 2023

Our names are Paul Locke and Andrea Uhlig, and we are an Associate Professor in the Department of Environmental Health and Engineering at the Johns Hopkins Bloomberg School of Public Health in Baltimore Maryland and a senior research assistant for the same department and school, respectively. Dr. Locke holds a doctoral degree in environmental health sciences and is also an attorney. He is admitted to practice before the bars of the State of New York and the District of Columbia, and the bar of the United States Supreme Court.¹ Ms. Uhlig has a Master of Health Sciences degree from Johns Hopkins Bloomberg School of Public Health focusing on Environmental Health.

As Hopkins scientists, along with our colleagues, we have been studying issues associated with pets – also called companion animals – and their role in improving public health and welfare.² Our aim in submitting this testimony is to bring these experiences and research perspectives into the analysis of SB 279. In addition, before his appointment at Hopkins, Dr. Locke’s was engaged in the practice of law. He represented clients in environmental matters and also advised them regarding real estate transactions. This testimony also captures lessons from Dr. Locke’s legal work.

As we understand it, SB 279 is meant to protect pets and their owners. It sets out a four-part strategy to achieve its objectives. First, the bill requires that the Department of Agriculture develop a fact sheet. This fact sheet will provide information about how to care for and protect companion animals if a person is evicted or loses possession of their real property. The fact sheet must include information about state and local resources, including animal shelters and animal rescue organizations. Second, if a landlord knows that a tenant has a companion animal, the bill requires that the landlord include in their lease a description of this fact sheet, and where it is located. Third, the bill requires that certain warrants issued for tenant eviction or loss of real property include information about where the fact sheet is located. Fourth, the bill requires that when real property is delivered back to a landlord or other person, an appropriate state or local official must take certain actions to make sure that companion animals are not abandoned, and provide information to their owners about the shelter and/or rescue organization to which the companion animals were taken, and vice versa.

As we explain below, the provisions of Senate Bill 279 align squarely with public health science and standard practices in disclosure in real estate law. Based on our research and practice, we believe that SB 279 will benefit Marylanders, and we strongly support its passage.

¹ Dr. Paul Locke is not admitted to practice law in Maryland.

² Our companion animal/one health research was supported by a grant from the Lipitz Public Policy Award Program at the Johns Hopkins Bloomberg School of Public Health. It will be published in an upcoming issue of the Maryland Journal of Health Care Law & Policy.



1. *SB 279 is consistent with public health research and has the potential to improve public health for Maryland's citizens, especially those who own companion animals.*

As written, one of SB 279's objectives is to protect, and assist in care for, companion animals (domesticated cats and dogs) if Marylanders are evicted from a leasehold or lose possession of their real property. This is an important public health goal. Our research, and the research of other public health scientists, has demonstrated that the human-companion animal bond strengthens both individual and community health. This idea is accepted in the health community and is captured under the concept of "one health." The one health concept recognizes that the health of communities and individuals is closely related to the health of animals and our shared environment. A key one health concept is that the human-companion animal bond that develops between pets and owners enhances human health.

Simply put, when the human-pet bond is broken, public health suffers. This is especially true among those in low income and vulnerable communities – those Marylanders at much higher risk of being evicted. Passage of SB 279 will be of great benefit to these families.

SB 279 incorporates a one health approach. Not only does it provide initial notice to tenants and landlords about how to care for animals in the event of eviction, the bill also creates an important follow-up mechanism so that if eviction occurs, the appropriate official can intervene to help preserve the companion animal-human bond. It also activates the animal shelter and animal rescue community. If a companion animal is taken to such a facility, the owner will be provided with information about where the companion animal is housed so that the owner and pet can be more easily reunited. In addition, the shelter or rescue facility will receive information about the pet owners so that they can reach out directly and attempt to reunite people with their pets.

2. *SB 279's lease provisions reflect standard practices in real estate disclosure.*

It is standard practice to add environmental and other disclosures to written landlord-tenant lease agreements. Such provisions protect both tenants and landlords by clarifying rights and responsibilities and giving notice about additional resources. One common example is the federal law provision relating to disclosure about potential lead hazards that is required to be made for most rental property that was constructed prior to 1978. The provision in SB 279 requiring a description of the Department of Agriculture's Pet Protection fact sheet falls squarely within this standard practice. Like other such disclosures, it reflects an incremental change that has considerable potential health benefits, as explained in under heading 1.

Thank you for the opportunity to offer comments on this important bill. If you have any questions about our testimony, or need more information, please contact us via email at auhlig3@jhu.edu and plocke@jhu.edu.

Please be aware that we are submitting this testimony in our individual capacity and that the views expressed do not necessarily reflect the official policy or position of Johns Hopkins University or Johns Hopkins Bloomberg School of Public Health.

Senate Bill 279 Testimony final-20230208142656074.

Uploaded by: Donna Bernstein

Position: FWA



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Advancing
**Human Rights and
Justice for All**

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February 8, 2023

Senator William C. Smith, Jr.
Chair, Judicial Proceedings Committee
2 East, Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

**Re: Testimony in Support of Senate Bill (SB) 279 – Real Property – Actions
for Possession – Pet Protections.**

Dear Chairperson Smith and Members of the Committee:

Thank you for the opportunity to provide testimony on SB 279. Maryland Legal Aid (MLA) is a private, non-profit law firm that provides free legal services to indigent Maryland residents, from 12 offices around the state. MLA helps individuals and families in every Maryland county, with many civil legal issues, including housing, consumer, public benefits, and family law matters. MLA often advises and represents low-income clients facing eviction and is therefore familiar with the serious challenges indigent tenants face, particularly those tenants who are pet caretakers/owners.

I have been a Maryland Legal Aid attorney for more than 23 years. I specialize in consumer issues including home preservation. I have seen the value pets bring to those in the low-income community. I have found that pet ownership can be used to reach and help more indigent individuals and families who need not only help to support pet ownership, but legal assistance with critical issues including home ownership, benefits, domestic problems, bankruptcy, etc. Most recently, I represented MLA in a joint research project with Johns Hopkins School of Public Health that used MLA data on evictions, and data from Baltimore City's open access animal shelter (BARCS), to locate a path to reducing the risk of homelessness and improving quality of life in the low-income community, through supporting pet ownership.

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It is not uncommon for pets to be left behind as a result of an eviction. The vast majority of unrepresented low income tenants lack the knowledge of or access to resources that provide information about tenants' rights and support services that would help to either avoid an eviction or help them make plans ahead of time. As a result, tenants facing eviction are left struggling to understand the eviction process. This confusion happens whether the eviction is carried out through the judicial system or not, for example where the tenant's lease ends or is not renewed by the landlord. In either case, the eviction process moves quickly and leaves little time for an individual with limited income to plan ahead to locate an affordable place to move, much less an affordable place to move that allows pets. Without this knowledge, a tenant is more likely to become homeless after an eviction. If the tenant facing eviction knows about their local open-access animal shelter and can find and afford transportation to take their pet(s) there, most must face the likelihood that their pet(s) will be euthanized because most open access shelters are beyond capacity and resort to euthanasia to lower the number of animals in their care. Currently there is no legal requirement that a pet be moved to a safe location after an eviction, or that any effort be made to help a pet owner who has been evicted, to reunite with their pet. As a result, those facing eviction often see no alternative except to leave their pet behind, and hope that someone will find and take care of the pet.

Homelessness is a public health crisis fed by evictions. To prevent it, we must locate and use every avenue to provide low-income individuals at risk of homelessness with access to justice and resources to help them maintain a healthy quality of life which includes safe affordable housing. SB 279 uses the "human-animal bond" to help those facing homelessness access resources that can prevent homelessness and allow them to be able to reunite with their pet. Having stable housing and a pet have both been shown to lead to better health outcomes for low-income individuals. The information that SB 279 requires be provided to a tenant who is a pet owner and to the shelter where their pet is taken after an eviction, makes pet ownership one more avenue for low income individuals to access resources that can help them find and maintain stable long term housing. Once in touch with the animal shelter, they can access a list of

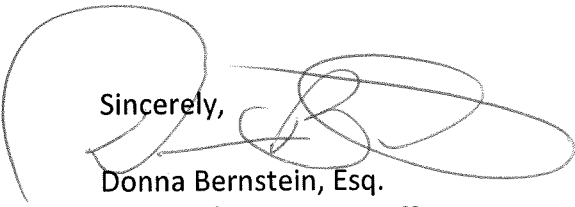
supportive services such as free legal assistance, information about pet friendly housing, and free resources to support pet ownership.

MLA would ask that you consider two important amendments, each of which would increase the likelihood that pets left behind are kept safe and given a better chance of reuniting with their caretaker and would increase the likelihood of low-income pet owners accessing valuable information and resources to improve quality of life for both the pet owner and their pet. Those are the following:

1. Expand the definition of a pet to include not only dogs and cats, but other pets, including but not limited to gerbils, hamsters, rabbits, lizards, snakes. All types of pets should be kept safe from suffering that can be caused by an eviction.
2. In those cases where the property is returned to the landlord without the use of the judicial process, such as when a tenant's lease ends or is not renewed, the landlord be required to keep the "fact sheet" on hand and follow the same process that the sheriff, constable, or other officials, must follow, including contacting an animal shelter or animal rescue organization to take possession of the pet, providing that entity with the contact information for the caretaker, and if possible providing that caretaker with the contact information for the entity where the pet was taken.

MLA supports SB 279 and asks that this Committee give it a favorable report.

Sincerely,



Donna Bernstein, Esq.
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SB 279 Pet Eviction -- FAVORABLE W:AMENDMENT.pdf

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Position: FWA



MARYLAND
HORSE
COUNCIL

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One Common Bond: The Horse
One Common Voice: The Horse Council

Testimony of the Maryland Horse Council on SB 279

Real Property – Actions for Possession – Pet Protections

FAVORABLE WITH AMENDMENT

The Maryland Horse Council (MHC) is a membership-based trade association that represents the state-wide horse industry in Maryland. Our members include horse farms; horse related businesses; equestrian competitors; trainers; individual enthusiasts; equine-assisted therapy programs; and breed, interest, and discipline associations. We represent over 30,000 Marylanders who make their living with horses, or who just own and love them.

MHC applauds the legislative intent behind SB 279 and welcomes additional protections for Maryland's dogs and cats. Many horse owners are also dog lovers, and many horse barns are occupied by beloved barn cats.

We are concerned, however, that SB 279 as written does not extend the residential eviction protections to equines. Many private equine owners live on leased properties and keep their equines with them on that leased property. These properties are often small farmettes, 5 acres or fewer in size, and are the primary residences of the equine's owners. When tenants are evicted from these types of properties, their equines face the same risks as dogs or cats.

MHC supports amending HB 102 to include "equine livestock" as well as dogs and cats. We suggest the following amendments:



MARYLAND
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COUNCIL

AMENDMENTS TO SENATE BILL 279
(First Reading)

AMENDMENT NO. 1

On page 1, in line 2, after "pet" insert "and equine livestock;" in line 4 after "pets" insert "and equine livestock;" in line 10, after "pet" insert "and/or equine livestock;" in line 12, after "pet" insert "and/or equine livestock;" in line 13, after "pet" insert "and equine livestock;" and in lines 21-22, after "Pet" and before "Protections" insert "and Equine Livestock."

AMENDMENT NO. 2

On page 2, in line 17, after "PET" and before "PROTECTIONS" insert "AND EQUINE LIVESTOCK."

AMENDMENT NO. 3

On page 2, after line 25, insert
"(E) 'EQUINE LIVESTOCK' MEANS HORSES, DONKEYS, MULES AND
PONIES."

AMENDMENT NO. 4

On page 3, in line 10, after "PETS" insert "AND EQUINE LIVESTOCK;" and in line 23, after "PET" insert "AND/OR EQUINE LIVESTOCK."



MARYLAND
HORSE
COUNCIL

AMENDMENT NO. 5

On page 4, in line 5, after “PET” insert “AND/OR EQUINE LIVESTOCK:” in line 7, after “PET,” insert “AND/OR EQUINE LIVESTOCK;” in line 14, after “PET” insert “AND/OR EQUINE LIVESTOCK;” in line 17, after “PET” insert “AND/OR EQUINE LIVESTOCK HAS BEEN;” in line 22, after “PET” insert “AND/OR EQUINE LIVESTOCK;” in line 23, after “PET” insert “AND/OR EQUINE LIVESTOCK;” and in line 25, after “PET” insert “AND/OR EQUINE LIVESTOCK.”

* * * * *

With the above amendments, MHC urges a favorable report on SB 279.

Respectfully submitted,

THE MARYLAND HORSE COUNCIL
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Info@mdhorsecouncil.org