



Committee: Judicial Proceedings

Bill: House Bill 151- Real Property - Residential Leases - Notification of Rent Increases

Date: March 28, 2023

Position: Favorable with Amendments

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. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

As amended, House Bill 151(HB 151) requires a housing provider to give 90 days notice of a rent increase, with certain exceptions. It also requires a housing provider to provide notice of a rent increase either through first-class mail or electronically. MMHA is grateful for the sponsor's collaboration in refining the bill's language during deliberations in the House, however, one additional amendment is needed.

As written, the bill contains a non-preemption clause that allows local jurisdictions to require more than a 90-day notice period. This language is unnecessary. Preemption doctrine dictates that a law of higher authority will take precedence over a law of lower authority if the two laws come into conflict. At present there is no local jurisdiction that allows a notice period greater than 90 days, so no conflict is created by the proposed bill. Rather it memorializes what is already current practice in a very small minority of jurisdictions, and in most cases, offers greater protection for tenants than what exists at present.

As such, MMHA supports the bill, with the following amendment:

On page 3, strike lines 18 through 20 in their entirety.

For more information, please contact Lauren C. Graziano, Senior Government Affairs Manager, 518.522.3529