



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Judiciary Committee

February 1, 2023

HB 215: Real Property - Limitations on Summoning Law Enforcement or Emergency Services - Prohibition

Position: Support

The Maryland Developmental Disabilities Council (Council) is an independent, public policy organization that creates changes to make it possible for people with developmental disabilities to live the lives they want with the support they need. Our vision is that people with and without disabilities in Maryland live, learn, work, and play together. HB 215 is an important step to ensure the fair treatment of people with disabilities where they live.

WHAT does this legislation do?

- This bill prohibits landlords from using a lease with provisions that limit a tenant's ability to call law enforcement or emergency services. The prohibition prevents leases that allow eviction if the tenant, or someone else on the property, summons law enforcement or emergency services.
- This bill also prohibits jurisdictions from passing local laws and ordinances, known as nuisance laws, that impose a penalty or limit the number of call to emergency services from the property.

WHY is this legislation important?

- This bill protects people with disabilities. One in five Marylanders over 18 identifies as having a disability. People with disabilities are disproportionately impacted under nuisance laws and leases with nuisance provisions. One study found that at least 25 percent of nuisance enforcement actions were the result of disability.¹ **This bill defends the civil rights of people with disabilities to live in community independently and without fear of retaliation for accessing emergency services.**
- This bill protects people in crisis. For people experiencing a mental or behavioral crisis, if they have an unexpected crisis and call 9-1-1, it is the police who respond to a residence. This bill prohibits landlords from using this as a reason to evict a tenant.
- This bill protects people with urgent health care needs. For individuals with a substance abuse disorder or families with members who have special health care needs, calling 9-1-1 may serve as a lifesaving tool on a more regular occasion compared to others. This bill prohibits landlords from using this as a reason to evict a tenant.

It is critical that people with disabilities have full access to police and emergency services where they live. This bill is an important step to ensure people with disabilities can live where and how they want and still receive the emergency services they need. For these reasons, the Council supports HB 215.

¹ <https://harvardcrcl.org/wp-content/uploads/sites/10/2019/07/54.2-Jarwala-Singh.pdf>

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