

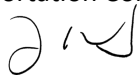
Robin Carter
Chairperson, Board of Commissioners

Janet Abrahams
President | Chief Executive Officer



HB 402

February 13, 2024

TO: Members of the Environment and Transportation Committee
FROM: Janet Abrahams, Chief Executive Officer 
RE: House Bill 402 – Real Property -Nuisance Actions – Rodent Harborage

POSITION: Letter of information

Chair Korman, Vice Chair Boyce, and Members of the Committee, please be advised that Housing Authority of Baltimore City (HABC) wishes to provide a letter of information on House Bill 841.

HABC serves over 20,000 low-income households through our Public Housing and Housing Choice Voucher program. Our current public housing inventory consists of approximately 6,000 units in conventional public housing developments and various scattered sites properties throughout Baltimore City. The proposed legislation, as currently written could have a major financial impact on HABC as it is too broad and provides no requirement for notice and opportunity to cure before a property owner is sued. Tenants residing in our public housing units are required to notify HABC of needed repairs and maintenance issues. However, sometimes these issues are not reported or are reported after they have existed for a significant length of time. Further not all tenants who report maintenance issues cooperate with HABC's attempts to perform repairs, including pest eradication efforts even though it is a material lease provision. In some instances, HABC must go as far as filing a breach of lease action or injunctive relief to gain access to a unit and perform the necessary repairs and/or pest control activity. Even though under § 8-402.1(a) of this bill allows for a landlord to bring an action against a tenant for behavior that causes or contributes to rodent harborage, in many instances HABC experiences unauthorized occupancy and squatters who contribute to these conditions and must go through a separate judicial process to regain possession of the unit.. In some situations, the source of the problem in an HABC-unit may not even be a property owned by HABC unit, but rather an adjacent property under other ownership. In these cases, a provision is necessary to allow for notice and an opportunity to get to the source to have the matter addressed by the source.

Although the objective of the law is not unreasonable, the law needs to clearly define certain provisions such as notice requirements, standing to file action and what damages can be reasonably claimed and in what amounts. Otherwise, it has the potential to bring about lawsuits that are based on spurious grounds and without notice, which will have a financial impact on HABC in the defense of such suits.

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We respectfully request amendments to House Bill 402 to address the concerns outlined above and require tenants to provide proof of notice and opportunity to cure when an action pursuant to this legislation is filed.

Respectfully submitted:

Janet Abrahams, HABC President & CEO

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