



Montgomery County

Office of Intergovernmental Relations

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HB 1114

DATE: February 27, 2024

SPONSOR: Delegates Terrasa, et al.

ASSIGNED TO: Environment and Transportation

CONTACT PERSON: Leslie Frey (leslie.frey@montgomerycountymd.gov)

POSITION: FAVORABLE (Department of Housing and Community Affairs)

Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

House Bill 1114 requires a landlord to provide notice to a tenant at least 14 days before the scheduled date of repossession as set by the sheriff when a court has issued a warrant of restitution for a failure of a tenant to pay rent, a breach of lease, or a tenant holding over. The bill also establishes procedures and requirements for the execution of a warrant for repossession and mandates that tenants be provided ten days following the execution of a warrant of restitution to recover personal property from the premises or another reasonably secure location chosen by the landlord. Finally, the bill states that nothing in the bill may be interpreted to restrict the authority of the State and local jurisdictions to enact legislation governing landlords and tenants, including legislation establishing penalties for a violation of this section.

Current law allows the enforcement of a writ of restitution at any time after four days from the judgement. Landlords do not have to provide any specific date for the repossession of the property or the eviction, causing tenants uncertainty on access to the property. House Bill 1114 creates an obligation for notice of a specific date for enforcement; this creates a process for providing tenants with structure and clarity on rights and actions available to them. Montgomery County would benefit from fewer completed evictions, which saves landlords turnover costs and reduces eviction impacts on tenants and households. Montgomery County Department of Housing and Community Affairs supports House Bill 1114 because it creates structure and communication to eliminate the disruptive and confusing process of eviction enforcement. Current practice creates uncertainty and does not support tenants managing efforts to either satisfy the judgment or coordinate a process of moving. For these reasons, Montgomery County Department of Housing and Community Affairs respectfully requests a favorable report.