

HB1114 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Hearing before the House Environment and Transportation Committee,
Feb. 27, 2023

Position: FAVORABLE

Chairman Korman, Vice Chair Boyce, and members of the House Environment and Transportation Committee:

My name is Sharnae Hunt, I am a government worker, a mother, and a renter in the city of Glen Burnie, Maryland. I am here today to support the Tenant Possessions Recovery Act (HB 1114) which would protect renters from experiencing the harm I unfortunately went through. **Two days before Thanksgiving 2022, I was evicted by the landlord, while I was at work.** That day, I was called by the property manager and told that I owed \$300 in back rent and that I needed to pay that immediately. Because I was working and I did not have time to discuss the matter in full, I paid the \$300 over the phone and continued to work. Shortly after the phone call with the property manager, I was called by a neighbor letting me know that an eviction had taken place at my building. By the time I came home, I found that all my belongings had been removed from my unit and had been thrown carelessly into the street.

It was not long after that, my landlord confessed to me that the eviction was done "erroneously" and that they would move my belongings back into my unit. However, the damage had already been done. **During the eviction the landlord's agents damaged, broke and dirtied my furniture and took my belongings for themselves. I lost precious keepsakes my son made for me, old passports, social security cards, bank information, a laptop, gaming systems and other technologies. My son's pet turtle was sent away and we were never able to track him down.**

Because of the traumatic experience, I moved out of the unit and now live with my parents while me and my son try to make ourselves whole again. If the Tenant Possessions Recovery Act was a law, this experience would not have happened to me or any other Maryland tenant. The law would make sure that in evictions whether done "erroneously" or by the law, tenants would have the right to access their personal and sacred belongings.

I ask for a favorable report on HB 1114.

Thank you,

Sharnae Hunt

Sharnae Hunt watches as haulers put her belongings back onto a truck after she was wrongfully evicted at Tall Pines Apartments in Glen Burnie on Tuesday, Nov. 22, 2022. (Jessica Gallagher/The Baltimore Banner)

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Sharnae Hunt often comes home from work to find the curb in front of her Glen Burnie apartment complex piled high with furniture, clothes, toys and strollers — the items left behind by neighbors who were evicted after falling behind on rent.

But on Tuesday, she was shocked to find her own possessions strewn across the grass at Tall Pines Apartments after she was improperly evicted from her home by one of Anne Arundel County's most prolific evictors, Hendersen-Webb, Inc., a Cockeysville-based property management company.

Two days before Thanksgiving, the contents of the apartment she shares with her 9-year-old son, Jacoby Thomas, were piled in a heaping mass: mattresses, couches, TVs, paintings, schoolwork and toys, clear plastic bags stuffed with a tangled combination of clothes, food and electronics.



Sharnae Hunt talks on the phone and watches as haulers put her belongings back onto a truck after she was wrongfully evicted at one of the five Glen Burnie apartment communities that makeup the Hendersen Webb, Inc.-owned The Forest on November 22, 2022. (Jessica Gallagher/The Baltimore Banner)

The eviction was the result of a “miscommunication,” according to Pamela Newland, Hendersen-Webb’s chief operating officer.

The confluence of events that took place at Tall Pines on Tuesday is likely rare. But it reflects the vulnerabilities of an eviction system in Maryland that enables regular mass eviction filings by landlords and relies on them to share accurate information with law enforcement overseeing evictions.



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A couple of hours earlier, Hunt had received a call from the rental office informing her that she was behind \$300 on her rent, she said. Anne Arundel County sheriff’s deputies were already carrying out evictions across several of the company’s three-story, brick-exterior garden apartment buildings, which

are wedged behind the University of Maryland Baltimore Medical Center in southern Glen Burnie. If she didn't pay the amount due, she was told, she'd be on their list.



Haulers and a sheriff's deputy collect the belongings of a resident being evicted from one of the five Glen Burnie apartment communities that makeup the Hendersen Webb, Inc.-owned The Forest in Glen Burnie. (Jessica Gallagher/The Baltimore Banner)

It was the first that Hunt heard about the balance, she said, and she wasn't sure how she'd missed it. But she patched her stepfather into a three-way call and he paid the balance by credit card. Her stepfather confirmed the call to The Baltimore Banner. Nervous that news of the payment wouldn't reach the crews filling flatbed trailers with residents' belongings, she made the 20-minute drive from her job at a laser manufacturing company back home and confirmed directly with a property manager overseeing evictions that her name was not on the list. She drove back to work.

An hour and a half later, she received a call from a neighbor: she'd been evicted.

"It's just me and my child, I'm supposed to bring him home after school today to this?" shouted Hunt, her face wet with tears. A Baltimore Banner reporter and photographer had gone to the scene to observe the evictions at the complex as part of ongoing coverage of the region's rental housing crisis.

Hunt went through the pile to assess the damage, desperately pulling her couch off of whatever breakables might be beneath it and tossing aside shoeboxes already emptied by those who had found her belongings before her. She'd have to tell her son that his pet turtle Mikie had been taken by animal control, she realized, and slumped into an office chair on the edge of the pile.

"Two days before Thanksgiving— where is the humanity in that?" Hunt asked. "All for \$300."



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Newland declined to address questions about why the eviction occurred.

"This is an extremely unfortunate situation," Newland wrote in an email to The Banner. "We are working with our resident to make this right." She declined to respond to emailed questions or to offer any further comment.

As Hunt and a few of her relatives snapped photos of the damage on their mobile phones, the same crew of haulers who had thrown her belongings onto the curb returned to the scene to load her now-cracked mirrors, dirty mattresses, and food-soiled clothing back onto flatbed trailers and into Hunt's apartment.



Essence Bennett goes through the belongings of her cousin, Sharnae Hunt, after she was wrongfully evicted. (Jessica Gallagher/The Baltimore Banner)

"What value does my stuff have at this point?" Hunt asked by phone Tuesday evening, after having left her disheveled apartment to coach her varsity girls basketball team at a game in Parkville. Hunt also

volunteers as a basketball commissioner at the Old Mill Youth Association.

Hunt said a company representative offered her a \$5,000 check for the damages, but she's not planning to cash it. "This situation is so much more than that — it's not about the money," said Hunt, who was weighing her legal options.

Brian Andre, a captain with the Anne Arundel County Sheriff's Office, said that law enforcement officials rely on landlords to provide accurate information about residents facing eviction.

"If they don't notify the sheriff on scene that this person paid, we're going off the information that we have on hand at the time — much as in a criminal case," Andre said. Deputies regularly call the courts to confirm whether eviction cases have received a stay from a judge. But if the tenant has paid since their court date, officers rely on the landlord to update them.

"I do fault 100% the landlord for this incident. This is 100% on them and they need to do better with their tenants," Andre said.

The captain said he rarely hears of situations like Hunt's, though.



Essence Bennett sorts through the belongings of her cousin, Sharnae Hunt, after she was wrongfully evicted at Tall Pines Apartments. (Jessica Gallagher/The Baltimore Banner)

"We get very, very, very few complaints from tenants or landlords when it comes to landlord-tenant affairs," he said.

Lisa Sarro, general counsel for Arundel Community Development Services, an affordable housing nonprofit, said these types of mix-ups may happen more often than get reported to the group or to law enforcement.

"You don't know about the ones that just happen and you don't hear about," said Sarro.

“It really is a system that is completely dependent on the good bookkeeping and goodwill of the property managers,” said Sarro. “All it takes is for one property manager accepting a payment without letting somebody on the ground know that that payment was received. ... That’s all it takes for a tragedy to happen.”

Sarro added, “It’s much more likely to happen with properties that have multiple filings and they literally have hundreds of people constantly at risk of eviction.”

Tenants of Hendersen-Webb are among the most vulnerable to these types of errors. The company is one of the most frequent eviction filers in Anne Arundel County, a Baltimore Banner analysis of electronically available eviction filings show.



Sharnae Hunt watches as haulers put her belongings back onto a truck after she was wrongfully evicted. (Jessica Gallagher/The Baltimore Banner)

More than 11% of the near 80,000 failure-to-pay-rent cases filed in Anne Arundel County between January 2019 and July 2022 were brought by Hendersen-Webb. It was the largest share of any large property management company that The Banner could identify, though limitations and errors in the cases that could be electronically reviewed may affect the finding.

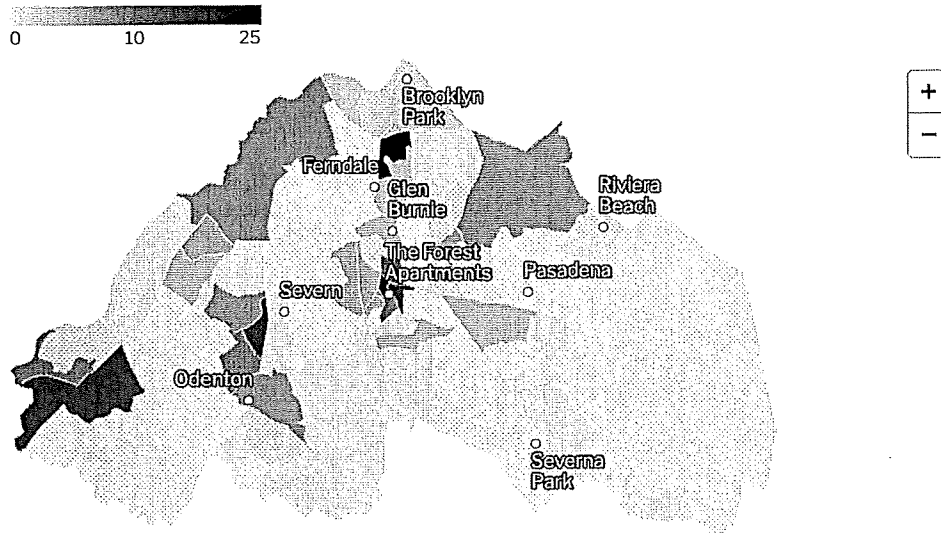
The Banner reviewed three other large Anne Arundel property managers: Pennsylvania-based Morgan Properties and the Maryland Management Co. each filed 8% of all filings. Glen Burnie-based A&G Management filed 7%.

A review of eviction logs kept by the county sheriff’s office shows 12% of evictions completed in the four-month period between May and August were executed on land where county property records list Hendersen-Webb as the owner. The five apartment complexes that constitute The Forest are located in

the county's eviction epicenter. Nearly one in five removals in the county occur inside the sheriff's office district that includes them — three times more than the district with the next-highest number.

The Forest Apartments are located in the epicenter of eviction enforcement in Anne Arundel County

Between May and August, the sheriff executed 62 evictions in the four Census Tracts where and around The Forest is located, the most of any four contiguous tracts in the county.



Note: This map excludes southern parts of the county where very few evictions took place.

Map: Ryan Little • Source: The Anne Arundel County Sheriff's Office Eviction Logs



Other property management companies “charge you a late fee or something like that,” Hunt recalled from living at other complexes in the area. But at her current complex, she said, “they automatically file.”

As The [Banner previously reported](#), the base filing fee statewide is just \$15, contributing to Maryland's ranking as a top state for eviction filings in the country. Filing is cheap for landlords but can be expensive for tenants, burdening them with extra fees, hours spent in court, and potential stains on their credit records and rental histories. It costs landlords an additional \$90 to execute the eviction, plus an additional \$40 for every additional tenant on the lease.



Residents of the five Glen Burnie apartment communities that make up the Hendersen-Webb, Inc.-owned The Forest wait to pay rent as sheriff's deputies prepare to begin evictions on November 22, 2022. (Jessica Gallagher/The Baltimore Banner)

It is unclear for which month Hunt purportedly owed \$300. According to court records, Hunt's landlord filed a failure-to-pay-rent case against her on Sept. 30. A judge granted a judgment to her landlord in the case, but Hunt said she paid that balance. She said the representative who called from the rental office Tuesday told her that the \$300 she owed was for October's rent, despite the fact that, according to court records, Hendersen-Webb did not file an eviction for October rent.

Hunt blames representatives at Hendersen-Webb, too, for their role in leading her to fall behind on rent in the first place. After losing her second part-time job during the pandemic, Hunt applied for federal emergency rental assistance through the United Way of Central Maryland. She said she was advised by representatives at Hendersen-Webb not to pay her rent while the funds were pending, so she instead used that money to pay other bills. Hendersen-Webb declined to answer questions about what the \$300 balance was for and whether residents were told not to pay rent while awaiting relief funds.

But on May 25, Hunt received a letter stating that the rental assistance funds had not covered all of her rent over the last several months, so she owed a total of \$2,891 immediately, and \$1,374 for June due within a few days. Hunt used her savings to pay the back rent and has been scrambling to keep up ever since, she said.

"We did not advise any landlords to advise tenants not to pay," said Scott Gottbreht, vice president of homeless services for United Way of Central Maryland. He said he's heard from numerous tenants about receiving conflicting messages from various providers and even different members of their property management staff about how to handle rent payments while assistance funds were pending. "It can be difficult for tenants to understand what they should actually do," he said.

Meanwhile, Hunt on Wednesday set off to brave the holiday crowds at Walmart so her son would have some clean clothes to wear. The two will stay with her parents, who live nearby, until she can find another apartment. "I'm trying to get out of there as fast as I can, I just can't subject my child to that — who's to say that it won't happen again?" she said.

In the meantime, she said she needs to figure out how to get through the holidays with her home in shambles.

"They always wake up for Christmas at my house," Hunt said of her son, as well as three stepchildren who come over for the holiday. "Now I have to tell them we don't even have a bed to sleep on."

sophie.kasakove@thebaltimorebanner.com



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