

REGIONAL MANAGEMENT INC.

HB 1114 -Real Property- Residential Leases-Procedures for Failure to Pay Rent, Breach of Lease and Tenant Holding Over Testimony of Regional Management, Inc.- Unfavorable February 27, 2024

Regional Management, Inc, (RMI) is a property management company which has, for over 60 years, managed over 5,000 units of affordable, market rate, residential properties in Baltimore City and County. RMI is a founding member of the Maryland MultiHousing Association.

House Bill 1114 is an attempt to codify a ruling made by the United States District Court for the District of Maryland in Todman v. The Mayor and City Council of Baltimore, which is currently on appeal at the US Court of Appeals for the 4th Circuit, with arguments set for March 22, 2024. The case, which began as a Tenant Holding Over matter, resulted in the expansion of a local Baltimore City law governing the disposition of eviction chattels in Failure to Pay Rent (FTPR) evictions, to include Tenant Holding Over evictions as well.

RMI opposes this Bill because it is premature to promulgate legislation while this matter is pending. See, Docket Entries attached. This is an Appeal of Right, which means that the appellate court must hear the case. Given the differences between the rights of tenants in FTPR cases versus those in Tenant Holding Over cases it is highly possible that the lower court decision will be over-turned or modified.

Over the last 3-4 years Landlords, Tenant organizations and Sheriff's representatives have discussed legislation regarding the disposition of FTPR eviction chattels and have not yet found a solution acceptable to all stakeholders. RMI suggests that after the Todman case is finally resolved that we begin exploring this matter again.

Respectfully Submitted,

Katherine Kelly Howard, Esq., General Counsel

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General Docket
United States Court of Appeals for the Fourth Circuit

Court of Appeals Docket #: 23-1201 **Docketed:** 02/23/2023
Nature of Suit: 3440 Other Civil Rights
Marshall Todman v. The Mayor and City Council of Baltimore
Appeal From: United States District Court for the District of Maryland at Baltimore
Fee Status: fee paid

Case Type Information:

- 1) Civil Private
- 2) private
- 3) null

Originating Court Information:

District: 0416-1 : 1:19-cv-03296-DLB
Court Reporter: Nadine Gazic, Official Court Reporter
Court Reporter: Amanda Longmore, Official Court Reporter
Court Reporter: Camille Powell, Court Reporter Coordinator
Presiding Judge: Deborah Lynn Boardman, U. S. District Court Judge
Date Filed: 11/15/2019

Date Order/Judgment: 02/21/2023	Date Order/Judgment EOD: 02/21/2023	Date NOA Filed: 02/21/2023	Date Rec'd COA: 02/22/2023
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Prior Cases:

None

Current Cases:

	Lead	Member	Start	End
Cross-Appeal	23-1201	<u>23-1277</u>	03/15/2023	

MARSHALL TODMAN
Plaintiff - Appellee

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02/23/2023	<input type="checkbox"/> <u>1</u> 1 pg, 55.42 KB	Case docketed. Originating case number: 1:19-cv-03296-DLB. Case manager: NaeemahSims. [1001321758] [23-1201] NRS [Entered: 02/23/2023 04:52 PM]
01/18/2024	<input type="checkbox"/> <u>58</u> 2 pg, 124.46 KB	CASE CALENDARED for oral argument. Date: 03/22/2024. Session Starting Time: 8:30 am. Check-in Time: 7:45-8:00 am. Forms due within 7 calendar days. [1001506544] [23-1201, 23-1277] NRS [Entered: 01/18/2024 07:10 PM]
01/19/2024	<input type="checkbox"/> <u>59</u> 1 pg, 489.5 KB	ORAL ARGUMENT ACKNOWLEDGMENT by Marshall Todman and Tiffany Todman in 23-1201, 23-1277. Counsel arguing: Conor B. O'Croinin. Answering argument time: 18 minutes. Rebuttal argument time: 2 minutes. ... [1001506744] [23-1201, 23-1277] Conor O'Croinin [Entered: 01/19/2024 10:48 AM]
01/24/2024	<input type="checkbox"/> <u>60</u> 1 pg, 83.18 KB	ORAL ARGUMENT ACKNOWLEDGMENT by The Mayor and City Council of Baltimore in 23-1201, 23-1277. Counsel arguing: Michael Redmond. Opening argument time: 15 minutes. Rebuttal argument time: 5 minutes. ... [1001509134] [23-1201, 23-1277] Michael Redmond [Entered: 01/24/2024 12:44 PM]
01/26/2024	<input type="checkbox"/> <u>61</u> 25 pg, 526.12 KB	BRIEF by Marshall Todman and Tiffany Todman in 23-1201, 23-1277. Type of Brief: REPLY. . Do any cases pending in this court or the Supreme Court of the United States raise similar issues? NO.. [1001510636] [23-1201, 23-1277] Conor O'Croinin [Entered: 01/26/2024 01:05 PM]
01/26/2024	<input type="checkbox"/> <u>62</u> 1 pg, 97.2 KB	COPY FOLLOW-UP NOTICE issued to Marshall Todman and Tiffany Todman in 23-1201, 23-1277 requesting 4 copies of reply brief. [1001510727] Must be received in Clerk's Office by 01/29/2024. [23-1201, 23-1277] AW [Entered: 01/26/2024 01:46 PM]
01/26/2024	<input type="checkbox"/> <u>63</u>	Receipt of paper copy of REPLY BRIEF filed at [61] by Marshall Todman and Tiffany Todman in 23-1201, 23-1277. Number of pages: [25]. Sufficient: Yes. Number of Copies: [4]. Received by clerk date: 01/29/2024. [1001511458] [23-1201, 23-1277] KS [Entered: 01/29/2024 11:43 AM]