

JEN TERRASA  
Legislative District 13  
Howard County

Environment and Transportation  
Committee

House Chair

Joint Committee on Children,  
Youth, and Families



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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

February 27, 2024

To: The Honorable Marc Korman  
Chair, Environment and Transportation Committee

From: Delegate Jen Terrasa  
District 13, Howard County

Re: Sponsor Testimony in Support of HB1114, Real Property - Landlord and  
Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant  
Holding Over

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Dear Chairman Korman, Vice Chair Boyce, and Members of the Environment and Transportation Committee,

Thank you for the opportunity to present HB1114, which requires landlords to provide notice to tenants at least 14 days before the scheduled date of eviction. And gives the tenant ten days after that to reclaim their possessions if needed. This is a reintroduction of my bill from last year with some changes.

Why is HB1114 necessary? Because many times when a tenant is evicted, they lose access to valuable personal possessions -- including medicine, pictures, and family mementos, but thankfully not pets anymore thanks to Speaker Pro Tem Stein's bill from last year.

As a reminder, the process is that once the landlord files in court, a court date is set. If the landlord wins and a judgment is entered against the tenant, the tenant has four days to appeal the judgment for failure to pay rent matter or ten days to appeal for a breach of lease and tenant holding over matters.

After that, things become less transparent and predictable for the tenant. Anytime after the appeal period, the landlord can ask the judge to issue a warrant of restitution at which point the sheriff can schedule an eviction. There is no state requirement that the tenant be given notice of this request or the date scheduled for the eviction. Note that, unless the right to redeem has been foreclosed, anytime up until the sheriff evicts the tenant, the tenant has a statutory right of redemption in failure to pay actions. (i.e. pay off the unpaid balance of their rent). And it is my understanding that many tenants do

this or at least believe they will be able to do this successfully. However, if this is not done by the time the sheriff shows up, they are removed from their unit and locked out. Their possessions are then either locked in the unit or put to the curb where they are usually destroyed or stolen, etc., depending on the county. This bill will help avoid that situation.

HB1114 requires landlords to provide notice to tenants at least 14 days before the scheduled date of eviction by sending notice first class mail with certificate of mailing and posting on the premises. On the date of eviction, the sheriff supervises as the landlord changes the locks, and the landlord must hold the tenant's belongings for 10 days – either onsite or in another secure place like a storage locker – during which time the tenant has a right to reclaim those possessions. This is a slight change from last year's bill that gave tenants a 7-day reclamation period because it is more in line with what other jurisdictions do. The other change in this year's bill is an enforcement section that allows a tenant to enforce the law if it is violated.

HB1114 offers a win-win-win situation for the tenant, landlord, and community. It makes the situation much more predictable. The tenant knows what is happening and can keep their belongings such as life-saving medicine, electronics, and personal treasures such as photos, mementos, and heirlooms. It's more predictable for the landlord, because they know when the law considers the tenants' property officially abandoned, and when they can dispose of that property. It also saves the landlord from having to pay employees to move all of the tenants' possessions to the curb on the scheduled date of eviction. There are also great community benefits with HB1114. For example, the contents of the tenants' home becomes clutter and trash that block sidewalks and rights-of-way, creating public safety risks and public eyesores.

Right now, Maryland is behind other states when it comes to tenants rights over their own belongings. Locally, Washington DC, New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all have reclamation periods to allow tenants to access their property. Nineteen states and D.C. require notice of the scheduled eviction date, provide for the tenant's right to reclaim belongings, and give the landlord some duty to store the tenant's property. An additional nine states require notice of the scheduled eviction and a right to reclaim. Even without the notice requirement, 33 states have reclamation periods that are longer than 24 hours. HB1114 brings Maryland in line with other states.

This bill adds predictability around the eviction process, benefits tenants, landlords, and the community, and treats tenants with the respect we all deserve.

I respectfully urge a favorable report.