



**Testimony to the House Environment and Transportation Committee
HB1274 Landlord and Tenant – Failure to Pay Rent – Evidence of Notice to Tenant
Position: Favorable**

2/29/2024

The Honorable Delegate Korman, Chair
Environment and Transportation Committee
Room 251
House Office Building
Annapolis, MD 21401

CC: Members of the House Environment and Transportation Committee

Economic Action Maryland (formerly the Maryland Consumer Rights Coalition) is a people-centered movement to expand economic rights, housing justice, and community reinvestment for working families, low-income communities, and communities of color. Economic Action Maryland provides direct assistance today while passing legislation and regulations to create systemic change in the future.

I am writing today to urge your favorable report on HB1274, which would require landlords to provide notice of unpaid rent to a tenant before filing for eviction, and subsequently provide evidence of this notice when filing for eviction.

As the cost of living has risen over the past few years, it is no question that people are struggling to get by. Additionally, rental costs in Maryland are higher than in most other states, with Maryland's average rent being \$332 higher than the national average.¹ In 2020, Maryland had the 8th highest number of renters who were cost-burdened in the country, with 49% of Marylanders spending more than 30% of their income on housing, while many Marylanders are severely cost-burdened paying more than 50% for a rental.²

Meanwhile, eviction rates across the state are incredibly high, More than 400,000 "failure to pay rent" cases were filed in Maryland in the state's 2023 fiscal year.³ This problem stems from many factors, one of which being the ease with which a landlord can file for eviction. Not only is the cost to file for eviction incredibly low, but landlords have no obligation to provide proof of notice to a tenant for cases of failure to pay rent.

By requiring landlords to provide written notice to tenants before filing a repossession complaint, the bill gives tenants a fair chance to address and cure the issue of non-payment within a specified time frame (10 days in this case). This notice requirement can prevent abrupt evictions and provides tenants with an opportunity to rectify the situation.

¹<https://thedailyrecord.com/2023/04/13/maryland-rental-costs-trend-above-national-average-begin-to-level-out-in-2023/#:~:text=Maryland%20state%2C%20cities%20and%20national%20rent%20increases&text=But%20in%202021%2C%20rents%20jumped,rent%20spike%20came%20in%202022.>

²https://www.urban.org/sites/default/files/publication/102699/a-state-framework-for-delivering-targeted-housing-assistance-to-people-and-places-hit-hardest-by-covid-19_1.pdf

³<https://www.delmarvanow.com/story/news/local/maryland/2023/12/06/marylands-rising-eviction-rate-renews-call-for-tenants-rights/71814753007/>



Requiring landlords to include evidence of providing notice in the repossession complaint adds an additional layer of transparency and accountability. This can help prevent cases where landlords might falsely claim to have provided notice, ensuring that legal proceedings are based on accurate and documented information.

Allowing the court to dismiss the landlord's complaint if the tenant shows sufficient cause provides a safety net for tenants facing genuine challenges. This prevents eviction in cases where the tenant can demonstrate valid reasons for non-payment or contest the landlord's claims.

For these reasons, we urge a favorable report on HB1274.

Sincerely,
Zoe Gallagher, Policy Associate