



HB 1114 – 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
February 27, 2024
Position: FAVORABLE

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide thought leader and clearinghouse for pro bono civil legal services in Maryland. As the designated pro bono arm of the MSBA, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar and offers direct legal services to over 6,200 clients annually.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the Tenant Volunteer Lawyer of the Day (“TVLD”) Program in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented for their proceedings. Since then, thanks in large part to grants from the Maryland Legal Services Corporation (MLSC), PBRC’s Courtroom Advocacy Project staff and volunteer attorneys have represented thousands of tenants in both Baltimore City and Baltimore County in multiple types of legal actions that could result in eviction.

While our goal is always to avoid eviction where possible, we recognize that some of our clients end up in that situation. For those who do, **HB 1114 represents a critical measure to ensure that their eviction, while a transfer of the property back to the landlord, does not also result in the loss or destruction of all their belongings.** This legislation does that by ensuring that tenants get notice of their impending eviction date and a limited period of time to reclaim their personal possessions in case an eviction is executed.

Specifically, HB 1114 provides tenants notice 14 days in advance of their impending eviction dates; and the opportunity to reclaim whatever personal possessions are on the property for ten (10) days after the eviction occurs. This is a sensible bill that brings Maryland in line with the rest of the country on executing evictions.¹

Renters need and deserve a reliable notice of the eviction date so that they can exercise their statutory right of redemption (“pay to stay”) or make plans to leave the property with their belongings intact. Equally, Maryland renters (like most renters in the country) deserve a reclamation period after the eviction occurs to mitigate the financial and personal loss that evictions cause. A “reclamation period” is a period post-eviction in which a renter can retrieve their possessions. Without either provision, too many tenants lose their homes and property, including items like life-saving medicine, electronics, birth certificates and school photos.

HB 1114 is not only a benefit to tenants. It also benefits both the landlords and the community. Many jurisdictions require landlords to have a specific number of workers, equipment, and resources at the ready to conduct an eviction and dispose of the tenants belonging, which can be costly to the landlord. Instituting a reclamation period after an executed eviction means that landlords will no longer have to hire these workers to be present at each eviction. Instead, they will now have more flexibility after the end of the 10-day reclamation period to dispose of any remaining belongings. The community will benefit as well because the tenants’ personal belongings will no longer be thrown into the street after an eviction. Those left after the reclamation period will be discarded in a proper and clean fashion.

The point of an eviction is the transfer property back into the hands of the owner, not the destruction or loss of the personal property of the tenants. No one benefits when a family has to look for donations to replace their destroyed furniture because they didn’t have time to find a storage unit and it was left in the rain, when a mother has to spend hours at state agencies to replace her children’s lost birth certificates, when an elderly man has to replace months’

worth of insulin, or when a community has to look at an entire family's belongings piled on the street. **HB 1114 provides commonsense solutions that will benefit everyone.**

PBRC urges a FAVORABLE report on HB 1114.

Please contact Katie Davis, Director of PBRC's Courtroom Advocacy Project, with any questions.

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¹ Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Moreover, nineteen states and D.C. require the tenant be given notice of their eviction date, the opportunity to reclaim their personal possessions, and require the landlord to perform some duty to store the tenant's possessions during the time of holding. An additional nine states require the tenant be given notice of their eviction date and the opportunity to reclaim their possessions.