



House Bill 402 – Real Property – Nuisance and Breach of Lease Actions – Rodent Harborage

Position: Unfavorable

Maryland REALTORS® oppose HB 402 which would create a private right of action for individuals seeking to control rodents. Most local governments now have programs to control rodents.

While the REALTORS® appreciate changes to HB 402 seeking to address instances in which the tenant is the cause of the harborage by allowing a breach of lease action, HB 402 would still make the landlord and property manager liable for damages caused by the harborage. Moreover, in some closely distanced properties, a rodent infestation of one property may be the result of a neighbor. What one neighbor considers the root of the rodent problem may just be another victim of a rodent harborage next door to them. Just because the rodents are coming from one property does not mean that the rodents are not starting out from a different property or properties close by.

The REALTORS® believe that local government programs to control rodents still make the most sense. Infestations are often not limited to one property and require a larger response than one focused on private suits against individual properties.

For these reasons, the Maryland REALTORS® opposes HB 402.

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