



# MARYLAND MILITARY COALITION

*Serving Veterans through Legislative Advocacy*

March 20, 2024

The Honorable William C. Smith, Jr.  
Chair, Judicial Proceedings Committee  
2 East  
Miller Senate Office Building  
Annapolis, MD 21401

Subject: **Request FAVORABLE Report as Amended** – HB1316 – Real Property – Holding Over – Expedited Hearing and Service Summons for Active Duty Service Member

Dear Chair Smith and distinguished members of the Judicial Proceedings Committee,

On behalf of the membership of the Maryland Military Coalition (MMC) and as its Legislative Director, I write to recommend a FAVORABLE report as amended by the Committee on ***HB1316 – Real Property – Holding Over – Expedited Hearing and Service Summons for Active Duty Service Member***, sponsored by Delegate Brian Chisholm (House District 31). This legislation, which **was passed unanimously by the House of Delegates**, would primarily require a District Court to hold a hearing on a tenant holding over within a certain number of days after a landlord makes a complaint if the landlord or the landlord's spouse is on active duty with the United States military.

Throughout their career, active-duty members of the uniformed services of the United States are ordered to move from one permanent duty station to another—called a “permanent change of station,” or PCS. During their career, and at any particular permanent duty station, they may purchase a property that may become their future “home of record,” or HOR. When they PCS to a new permanent duty station, however, rather than sell that property, they may decide to rent it out. Most of the time the length of a PCS is predictable—at least two or three years. On occasion, however, based on the needs of the service in which they serve, the active-duty member may receive orders to PCS back to a permanent duty station near their property before two or three years and desire to move back into what they own by giving proper notice to their tenant. If that tenant refuses to comply with that notice, the legal process of removal can become lengthy and costly. This legislation establishes a fixed time frame for a District Court to act on the complaint of the active-duty member who is the owner and intends to re-occupy the property.

The Maryland Military Coalition **supports HB1316** and asks the Judicial Proceedings Committee for a **FAVORABLE report as amended**. Active-duty members of the uniformed services, who PCS to a new permanent duty station, are only authorized temporary lodging expenses for a short period of time and only certain moving expenses. Beyond that, the member incurs the financial liability involved with the move to the new permanent duty station. This

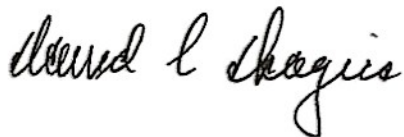
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legislation will mitigate against the cost to the active-duty member of the extended length of time to remove a non-compliant tenant.

The Maryland Military Coalition is a registered non-profit, non-partisan advocacy organization comprised of prominent Maryland-based veteran and military groups, representing over 150,000 service-connected individuals, including those currently serving, veterans, retirees and their families, caregivers, and survivors.

We want to thank Delegate Brian Chisholm for his commitment to the uniformed services community in Maryland.

Respectfully,

A handwritten signature in black ink that reads "David L. Dragics". The signature is written in a cursive style with a large, stylized 'D' and 'D'.

David L. Dragics  
COL USA (Ret)  
Legislative Director

## Member Organizations, Maryland Military Coalition

James P. Monahan  
Air Force Sergeants Association

John P. May  
American Military Society

Elwood R. Raphael Gray  
American Minority Veterans Research Project

W. W. Allen  
Association of the United States Navy

Lynn A. Dask  
Commissioned Officers Association of the  
US Public Health Service

Wilbur B. Fisher  
Disabled American Veterans

Seldon H. Freedberg  
Distinguished Flying Cross Association

Phyllis J. Collins  
Fleet Reserve Association

Seldon H. Freedberg  
Jewish War Veterans of the USA

Steve L. Brooker  
Maryland Air National Guard Retirees'  
Association

Emmett R. Robert  
Maryland Veterans Chamber of Commerce

Robert J. Winton  
Military Officers Association of America

Charles E. Egan  
Military Order of the Purple Heart

E. J. ...  
Montford Point Marines of America

M. L. Messer  
National Association for Black Veterans

Michael P. Hays  
Naval Enlisted Reserve Association

Christian Andreason  
NOAA Association of Commissioned Officers

John S. ...  
Reserve Organization of America

Catherine L. McGraw  
Society of Military Widows

E. J. ...  
National Active and Retired Federal Employees  
Veterans Affairs Directorate, NARFE MD

M. Blackwell  
Veterans of Foreign Wars