

January 30, 2024

Chair Smith, Vice Chair Waldstreicher, and esteemed members of the Judicial Proceedings Committee,

The National Alliance on Mental Illness, Maryland and our 11 local affiliates across the state represent a statewide network of more than 58,000 families, individuals, community-based organizations, and service providers. NAMI Maryland is a non-profit that is dedicated to providing education, support, and advocacy for persons with mental illnesses, their families and the wider community.

1 in 5 adults in America, or 20% of Americans, experience mental illness each year. It's well-documented that people with mental illness experience housing discrimination throughout the rental process. NAMI MD believes that policymakers must address housing needs to allow people with mental health conditions to focus on getting and staying well. People should not incur loss of housing because of mental illness. They should not be at risk of losing housing in the community during periods of crisis, hospitalization, or inpatient treatment.

However, we realize that in some instances, someone may need to leave their current residence to seek treatment, or because their current living situation exacerbates their mental illness.

A person's access to housing can affect, and is affected by, mental health. Having a serious mental illness impacts a person's ability to maintain housing because mental illness can affect their ability to comply with community rules, keep the home tidy, or meet lease requirements. Serious mental illness can make obtaining and maintaining housing seem insurmountable. And this is a pervasive problem-- in Maryland, 181,000 adults have a serious mental illness.

SB162 will make it so that a tenant is only liable for two additional months' worth of rent should they have to break their lease due to their mental illness. To qualify for this, the tenant must provide certification from a therapist or psychologist before they vacate, stating that the management of their mental illness is substantially limited by the leased premises.

Of course, when someone rents a home, they take on the responsibility for their basic needs, like cooking, cleaning, and paying bills. However, mental illnesses can develop and/or worsen over time and can be severe and persistent enough to interfere with one's ability to function—even the most basic life tasks may become impossible.

MD Real Property Code 8212.2 provides limited liability protections only for physical disabilities. SB162 simply extends these protections to cover those with mental illness. It is only just that these protections are afforded to them as well.

For these reasons, we urge a favorable report.

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