

January 30, 2024

The Honorable William C. Smith Jr.  
Senate Judicial Proceedings Committee  
Miller Senate Office Building,  
2 East Wing 11 Bladen St.,  
Annapolis, MD, 21401

**RE: Opposition SB162- Landlord and Tenant- Termination of Residential Lease- Limitation of Liability for Rent**

Dear Chairman Smith:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB162 - Landlord and Tenant - Termination of Residential Lease - Limitation of Liability for Rent** MBIA **Opposes** the Act in its current version.

This proposal would seek to limit a tenant's liability for rent to no more than 2 months' rent after the date on which the tenant vacates a leased premise if a physician, counselor, therapist, or psychologist completes a form specifying that the tenant has an intellectual or developmental disability or mental disorder, the management of which is substantially limited by the leased premises

MBIA has concerns about the proposal given the vagueness of certain provisions within the bill. Specifically, on page 2, line 31, the term "substantially limited by the leased premises" is unclear. What does it mean? Who decides if the resident is substantially limited by the leased premises? The therapist, counselor or psychologist? Does a provider visit the rental unit? How will the housing provider verify that the diagnosis of the resident is accurate? These are important questions to determine whether the tenant would even be eligible to the intent of the bill.

For these reasons, MBIA respectfully requests the Committee give this measure an Unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).

cc: Members of the Senate Judicial Proceedings Committee