

DATE: March 7, 2024

BILL NO.: Senate Bill 946

TITLE: Landlord and Tenant - Failure to Repair Serious and Dangerous Defects - Tenant Remedies (Tenant Safety Act of 2024)

COMMITTEE: Senate Judicial Proceedings Committee

Letter of Support

Description of Bill:

Senate Bill 946 establishes that a landlord offering a residential dwelling unit for rent is deemed to warrant the unit fit for human habitation, specifies that certain mold hazards constitute a condition dangerous to the life, health, and safety of occupants, and authorizes multiple tenants of a residential rental property to jointly bring suit against a landlord in civil actions relating to breach of the warranty of habitability, including abatement of rent and rent escrow actions.

Background and Analysis:

Maryland's 96,000-unit housing shortage is limiting tenant mobility and contributing to the problem of unsafe living conditions. Aging housing stock across the state – nearly 60% of Maryland's homes were built prior to 1980 – means tenants often face issues such as inadequate heat and plumbing, rodent infestation, and mold. These conditions can lead to injuries, reduced respiratory capacity, cardiovascular diseases, and infectious diseases such as tuberculosis and influenza. With a housing shortage, renters have less mobility and are less likely to be able to negotiate for better living conditions. Consequently, those with less bargaining power and fewer resources experience increased health risks.

Under existing Maryland law, tenants have legal remedies against landlords who fail to correct certain dangerous conditions. These remedies include the ability to petition the District Court for rent escrow, under which the tenant's rent is paid into the court to be held until the landlord makes the necessary repairs. Senate Bill 946 adds two important elements to this remedy: the addition of dangerous mold conditions to the list of defects that must be repaired by landlords, and the ability of multiple tenants to join as plaintiffs in a rent escrow action against a landlord who fails to make necessary repairs.

Landlords have a responsibility to maintain safe living environments. No renter, regardless of income, should live in life-threatening and unsafe conditions. Giving tenants more avenues to address safety hazards will help ensure the safety of Maryland residents.

DHCD Position:

The Maryland Department of Housing and Community Development respectfully requests a **favorable** report on SB 946.