

March 21, 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,

For the record this testimony does not reflect the views or opinions of the United States Navy or Department Of Defense.

In 2019 my wife and I rented our Maryland home of five years while away on orders. In 2021 we got orders back to MD starting February 2022. Our tenant's 2nd lease expired October 31st 2021 and our property manager notified the tenant we would not be renewing. Thinking she'd honor her contract, my wife and daughter drove from Washington back to Maryland in November; I was a sea at the time.

The tenant didn't vacate. She requested a series of short extensions until receiving notice that the hold over court hearing was set for January 18th. She then made it clear she'd stay until then. We filed a motion to expedite the trial Nov.17, but that request was denied without explanation on Dec 3.

The tenant didn't show up to court and abandoned the property the day of. Luckily, we didn't have to go through the eviction process which could have added months. Four months passed from the time the lease ended to the time we were able to move back in. We were extremely fortunate to have a friend willing to put us up for that time. If we hadn't, we would have likely been paying for a hotel or a month-to-month rental without access to our personal property.

I can't put into words the frustration, helplessness, anger, and abandonment we felt during the two and a half months we waited for our court date. The government, to which my wife and I have spent our entire professional lives in service to, would not or could not, do anything to help. Meanwhile, the County Health Department was threatening to fine us for trash accumulation on the property we weren't allowed to enter. My daughter spent her fourth birthday, Thanksgiving, Christmas, and New Year's sleeping on a bean bag chair. So much of our time that should have been spent focused on our jobs and family were wasted talking to lawyers, our property manager, and making pleas to the Maryland judicial and legislative branches.

The law needs to provide protection to renters and landlords alike. No one should have to wait two and half months to have a tenant holdover case heard when it is preventing them from moving back into their home. Thank you for your time. I request a favorable report for HB1316.

Very respectfully,

Michael J. Asche