



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB1316: Real Property – Holding Over – Expedited Hearing and Service of Summons for Active Duty Service Member

Honorable Members of the Judiciary Committee,

HB1316 reinforces Maryland's commitment to supporting its active-duty service members and their families.

This legislation addresses the unique challenges faced by active-duty service members and their spouses who are the landlords in matters of holdover tenancies and actions related to occupying their residence, because of orders requiring them to return to their home base in Maryland. Inspired by a real-life constituent experience, the bill aims to prevent such situations for military families.

After discussion with Chief Judge Morrissey, Maryland Judiciary, I'm offering an amendment that expedites the trial process of no later than **45* days** for active-duty service members or their spouse, with evidence of proof of service papers at the time of filing for an eviction, seeking repossession of their residence after the lease term has expired and there is a tenant holding over. The bill as written indicates 30 days; however, upon discussion with Chief Judge Morrissey, he recommended an additional 15 days to assure that each of the District Court systems in Maryland can accommodate these parameters given the heavy caseload they may have to manage.

The bill explicitly mentions that the active-duty service member or spouse intends to occupy their residence within 30 days in response to military orders, the legislation provides a clear and transparent framework. This helps dispel any doubts about the legitimacy of their request for an expedited trial, preventing delays in the legal process. This transparency safeguards service members from unnecessary challenges when they return to their home base, aiming to reside in the homes they rightfully own.

Upon discussion with Chief Judge Morrissey, the proposed amendment also authorizes **process servers*** to post notices, if the Sheriff/constable fails to do so within the prescribed 10 days, presenting a practical solution to expedite the legal process. This expands the pool of those who are permitted to serve the Tenant Holding Over which includes licensed private detectives (that the bill specifically authorizes). This not only alleviates the workload on our dedicated sheriffs but also enhances the efficiency of the notifying process, contributing to a swifter resolution of tenant-landlord court hearings.

The provision for expedited trials ensures that landlords, who have diligently followed all rules in providing notice to their tenants, are not left in limbo when facing holdover situations. This is

particularly significant in fostering a favorable environment for active-duty service members to confidently invest in homeownership within Maryland, knowing that legal recourse is readily available in the event of this kind of scenario.

HB1316 has also received letters of support from the MD Military Coalition and the MGA Veterans Caucus.

I strongly urge a favorable report for HB1316, let's demonstrate our commitment and accommodate legal framework for those who selflessly serve our nation.

Sincerely,

Brian Chisholm

State Delegate Brian Chisholm
Anne Arundel County, District 31