



**HB 359 - Petition for Guardianship of the Property of Alleged Disabled Person -
Stay of Civil Actions and Proceedings
Committee: House Judiciary Committee
Date: February 7, 2024
Position: Favorable with Amendments**

The Maryland Bankers Association (MBA) **SUPPORTS HB 359 WITH AMENDMENTS**. This legislation creates an automatic stay of certain actions, including foreclosure, upon the filing of a petition for guardianship of the property of an alleged disabled person.

As drafted, HB 359 could result in excessive delays in foreclosure cases. A borrower could file a petition, resulting in a stay, that could remain in Maryland's judicial system for a significant amount of time. In addition, a borrower could repeatedly file petitions for the sole purpose of delaying foreclosure. The bill also needs to specify that it only applies to foreclosure cases filed on or after the effective date of the Act. If amendments were adopted to address these concerns, MBA would not have any objections to the bill.

Accordingly, MBA urges issuance of a **FAVORABLE** report on HB 359 **WITH AMENDMENTS**.

The Maryland Bankers Association (MBA) represents FDIC-insured community, regional, and national banks, employing more than 26,000 Marylanders and holding more than \$209 billion in deposits in over 1,200 branches across our State. The Maryland banking industry serves customers across the State and provides an array of financial services including residential mortgage lending, business banking, estates and trust services, consumer banking, and more.

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