



C. Matthew Hill
Attorney
Public Justice Center
201 North Charles Street, Suite 1200
Baltimore, Maryland 21201
410-625-9409, ext. 229
hillm@publicjustice.org

HB 1316 – Real Property – Holding Over – Expedited Hearing and Service of Summons for Active Duty Service Member

Hearing before the House Judiciary Committee, February 28, 2024

Position: OPPOSE (UNFAV)

Public Justice Center (PJC) is a non-profit advocacy organization and civil legal services provider that provides advice and representation to over 800 tenants in Maryland each year. The PJC stands with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing and their rights to fair and equal treatment by Maryland’s landlord-tenant laws, courts, and agencies.

We oppose HB 1316 and request that the Committee issue an unfavorable report. HB 1316 would allow the landlord to supplant the central role of the Sheriff in the unique “nail and mail” service of complaints for eviction for tenant holding over. Private process servers have an inherent conflict of interest since they are paid for by the landlord. The Sheriff, by contrast, is a neutral party who is accountable to the voters of the County.

Additionally, we are concerned that a court may interpret the provisions of the bill requiring a trial within 30 days to disallow for a postponement request by either party that may be needed in some cases for the tenant to obtain an attorney pursuant to the Maryland Access to Counsel in Evictions law. Most tenant holding over initial hearings already occur on an expedited basis.

We request that Committee **issue an UNFAVORABLE report on HB 1316.** If you have any questions, please contact: Matt Hill, hillm@publicjustice.org, 410-625-9409, ext. 229.