



House Bill 1076

Committee: Environment and Transportation

Bill: House Bill 1076 – Residential Real Property - Landlord and Tenant - Notice of Landlord Entry

Date: 2/25/25

Position: Unfavorable

The Maryland Multi-Housing Association (MMHA) is a professional trade association established in 1996, whose members house more than 538,000 residents of the State of Maryland. MMHA’s membership consists of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities and more than 250 associate member companies who supply goods and services to the multi-housing industry.

House Bill 1076 (“HB 1076”) Mandates that landlords provide tenants with at least 48 hours' written notice before entering a leased residential property, except in emergencies. The notice must specify the date, approximate time, and purpose of entry, and can be delivered via first-class mail, a notice affixed to the door, or electronically if the tenant consents. Landlords are permitted to enter only between 9:00 a.m. and 5:00 p.m., Monday through Saturday, unless otherwise agreed upon in writing by the tenant. Violations of these provisions may result in injunctions or damages for breaching the tenant's right to quiet enjoyment.

While MMHA recognizes the importance of tenant privacy and the need for clear communication regarding property access, there are significant operational and legal concerns re: HB 1076 that could result with negative impacts on both housing providers and tenants. MMHA has the following concerns:

I. Operational Constraints:

The mandated 48-hour notice requirement in HB 1076 poses significant operational challenges. Property managers often need to address maintenance issues promptly in order to prevent further damage or to comply with health and safety regulations. The 48-hour notice period could delay essential repairs, leading to increased costs to remediate for the housing providers and potential hazards and exposure for the tenants. If the tenant desires prompt attention in less than 48 hours’ notice, the housing provider will need to wait for the tenant to agree in writing before the housing provider can react, prolonging the corrective maintenance.

Additionally, there will be an administrative burden on the housing providers as they need to document and provide proof of notice delivery given the new legal requirements. For larger housing providers that manage multiple units across multiple properties, this may become exceptionally burdensome. This may lead to increased operational costs and slow operations.

II. Legal and Liability Implications:

HB 1076 will allow the courts to issue injunctions or assess damages against landlords for “breach of tenant’s covenant to quiet enjoyment of the leased properties...”. The housing providers are also liable for any violation of HB 1076 committed by a provider or an agent acting at the direction of the provider. This added liability exposes housing providers to financial damages and legal costs, even if the housing provider was acting in good faith for the tenants. Any associated costs that incur from this legislation will be passed onto tenants either through rent increases or deferring maintenance/renovations.

Given the immense liability hanging over the housing providers, staff will inherently use caution when assessing whether or not to access a unit for an “emergency”. As an emergency is undefined in the legislation, it will be up to each individual staffer to determine if a situation with a tenant or tenant’s property constitutes an emergency or not. This is dangerous for the staff of a housing provider and could potentially endanger the welfare of the tenant should they truly need assistance.

HB 1076 would have a dramatic impact on housing providers’ ability to operate their businesses, place burdensome liability on the housing providers, and could potentially endanger both tenants and staff if enacted. For those reasons, we request an unfavorable report on HB 1076.

Please contact Matthew Pipkin, Jr. at (443) 995-4342 or mpipkin@mmhaonline.org with any questions.