

Bill Title: HB 767 - Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over (Tenant Possessions Recovery Act)

Position: SUPPORT (FAV)

To: House Environment and Transportation Committee

From: Rachael Buck

Dear Chair Korman and members of the Environment & Transportation Committee,

My name is Rachael Buck, I work at A Wider Circle a Maryland-based social services organization and the largest furniture bank in the Maryland-Virginia-DC region. On behalf of our organization and our client-led Social Justice Committee for which I am a liaison for A Wider Circle and in partnership with Renters United Maryland, we support House Bill 767 as a critical measure to ensure that tenants have notice of their impending eviction date and a set period of time to reclaim their personal possessions in case an eviction is executed. We strongly encourage you to pass this bill out of Committee.

Through A Wider Circle's work to end Furniture Poverty, each year we provide more than 10,000 individuals with items ranging from furniture and home goods to infant items like cribs and high chairs, to professional attire for job seekers and people reentering the workforce. This program is the only one of its size and of its kind in Maryland, serving individuals, families, and hundreds of other social service agencies - free of charge and without any barriers to entry. Despite our large operation, we still have more Marylanders waiting for a bed to sleep on, or a crib to put their newborn baby in than we can serve in a short period of time. We say with deep concern that Maryland has tens of thousands of children, adults, and seniors sleeping on the floor of unfurnished homes each night. A Wider Circle will not be able to meet this need alone. We need your help, Committee members, to address the causes of furniture poverty, like the needless loss of possessions due to eviction.

Every day, neighbors we serve share stories of the loss connected with evictions - loss of beds, dressers, tables, chairs, cribs, everything - including cherished memorabilia and family heirlooms. Children coming home from school to see all their possessions strewn out on the curb and being rummaged through by people they do not know. Experiences of having to watch items destroyed by weather before the family could get a moving truck onsite. Each story shares one thing in common - the stripping away of someone's personal belongings, as well as, their dignity.

A full 10% of the 4,668 families who called us to request furniture last year lost their possessions due to eviction. We are happy to serve these clients, but with a bill like this, we can help them avoid the burden of either (1) sleeping and doing homework on the floor of their next place; or (2) sacrificing food and rent again to forage for replacement cups, bowls, and dining chairs.

We believe no part of the eviction process should be a surprise. Providing a 10-day period to reclaim items after an eviction has been executed will ensure a family has the opportunity to plan their next steps and move their items to their new residence. Avoiding this loss of furnishings helps the family avoid the thousands of dollars it can take to furnish a space from scratch. If the worst case scenario of eviction hits a family we should not compound the issue with the loss of their belongings.

Evictions are not just a symptom of poverty; evictions cause poverty and homelessness - especially when renting families lose all their belongings. In MD, [when tenants like Sharnae Hunt are evicted from their homes](#), not only do they lose a roof over their heads, many lose their dignity, their personal possessions, and the ability to adequately find another home due to the trauma and fiscal loss. Financial records & children's keepsakes are all moved to the curb or locked in the property. The Tenant Possessions Recovery Act (HB 767) would mitigate this trauma by requiring that tenants receive 14 days' notice of the eviction date and a 10-day window to reclaim their belongings if an eviction is executed.

This bill would also protect local jurisdictions from future legal liability eviction practices that are unconstitutional. On June 10, 2024, the Fourth Circuit ruled in *Todman v. Mayor* that Baltimore City's eviction law is unconstitutional. 104 F.4th 479 (4th Cir. 2024). The City's law - and similar local laws in Baltimore County, Prince George's County and others - declare a tenant's belongings "abandoned" upon eviction without adequate notice and a reclamation period. By giving renters notice of their eviction date and an opportunity to collect their belongings through HB 767, localities will no longer be at risk of litigation and financial loss.

HB 767 is a sensible bill that brings Maryland in line with the rest of the country on executing evictions. Washington D.C., New Jersey, West Virginia, Pennsylvania, Delaware, and Virginia all require that the tenant be given notice of their eviction date and the opportunity to reclaim their personal possessions after their eviction. Twenty-eight states and D.C. require the tenant be given notice of their eviction date and a limited window to reclaim their personal possessions.

HB 767 is also beneficial to neighborhoods in that it no longer allows for an evicted tenant's belonging to be thrown out on public streets. Currently, in most of Maryland, a tenant's personal belongings are thrown into the street after an eviction, creating clutter that blocks sidewalks and creates public blight. HB 767 remedies this issue by requiring the landlord to discard of whatever remaining items that are left in a proper and clean fashion.

Finally, HB 767 benefits landlords in that landlords will no longer be required to pay for and bring 4-10 movers on sight for the day of the eviction in order to move the tenants belongings that day. Instead, landlords may store the tenant's possessions in the property or move them to a storage unit at a more convenient time for the 10-day recovery window.

I urge a favorable report on HB 767.