



House Bill 911

Date: February 13, 2025
Committee: Environment and Transportation
Position: Favorable with Amendment

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose membership consists of owners and managers of more than 207,246 rental housing homes in more than 937 apartment communities. Our members house over 667,000 residents of the State of Maryland throughout the entire State of Maryland. MMHA membership also includes more than 216 associate members that supply goods and services to the multi-housing industry. More information is available at <https://www.mmhaonline.org/>

House Bill 911 (“HB 911”) prohibits a landlord from preventing or limiting a tenant from operating a family childcare home on their property so long as the tenant provides notice to the landlord prior to operation and includes the landlord as an additional insured on their policy. A family childcare home is defined as a residence in which family childcare is provided for up to eight children. It allows a landlord to increase the security deposit but only up to two months. It also provides landlords immunity from civil but not criminal liability in relation to the acts or omissions of a tenant in operation of the family childcare home.

While MMHA applauds the Sponsors’ efforts to address a growing childcare concern in Maryland, we do not believe that multifamily dwellings are the appropriate accommodations to achieve that objective nor resolve the concern. Instead, we believe that it creates a host of issues that unduly burden landlords. Some of those issues include but are not limited to over occupancy, noise complaints from neighboring tenants, and additional expenses to the property.

According to the Maryland Education Code, Section 9.5-305(b)(ii), the adult to child ratio is one adult to every two children under the age of two years old. Prospectively, that could significantly increase the number of people occupying the unit beyond what is allowed by local occupancy standards. It also present a safety and liability concern in the event of an emergency. While the bill states that the tenant must name the landlord as an additional insured on their certificate of insurance, it does not factor in the administrative task of a landlord having to ensure that the policies do not lapse in coverage. It is also silent as to the amount of coverage that should be provided by the tenant.



Additionally, the bill authorizes a landlord to increase the security deposit to up to two months' rent; however, that is simply not enough to account for the additional costs by way of utility expenses for those properties that have all utilities included. Those costs will be absorbed by the landlords and cannot be passed to the tenant. Moreover, damages that accrue from the wear and tear related to the childcare operation may not be totally recouped as that security deposit is intertwined with the tenancy of the leaseholder(s), not just the family childcare home.

HB 911 opens the door to converting landlords' properties into childcare facilities instead of their intended design which is multifamily housing. As such, while we truly appreciate discussing this legislation with the Sponsor, we truly believe that it should be amended to remove multifamily dwellings. Therefore, MMHA respectfully requests favorable with this amendment on HB 911. Please contact Ashley Clark at ashley.clark@mdlobbyist.com with any questions or concerns. Thank you.