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**HB 549 - Nuisance and Breach of Lease Actions - Rodent Harborage**  
**Hearing before the Environment and Transportation Committee, February 11, 2025**

**Position: OPPOSE (UNFAV)**

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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. In our representation, we litigate a number of breach of lease matters and have extensive expertise in Maryland eviction litigation.

**We oppose HB 549 and request and the Committee issue an unfavorable report.** HB 549, which is substantially similar to HB 402 from last year, allows for a landlord to bring an action under 8-402.1 of the Real Property Code against a tenant for behavior that causes or contributes to "rodent harborage". We believe this bill misunderstands "rodent harborage" in the context of housing, tenancy, and breach of lease actions.

Real Property 8-402.1 provides the *process* of evicting a tenant for a breach of the lease signed between a landlord and the tenant. It does not outline what does and does not constitute a breach of the lease. The actual breach is outlined in the contract itself, understanding that not all property rental relationships are the same and that it is up to the landlord and tenant to decide what is and is not an issue worthy of a provision in the lease. HB 549 seeks to undermine the agreement between a tenant and their landlord by creating a breach of the lease in instances where neither party agreed to. In an overwhelming majority of leases, there are cleanliness provisions with which the tenant must comply that allow for a landlord to bring an action against the tenant in case the tenant has been found to have contributed to an infestation of rodents.

In many urban areas in Maryland, rodents are an inevitable consequence of living in close quarters with neighbors. Particularly in Baltimore City, where people rent units next to vacant homes, rodents are issues that are hard to contain and are even harder to place fault. While "rodent harborage" is defined in HB 549, it is not particularly clarifying as to how a particular

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tenant can be found responsible for “rodent harborage” when there are so many mitigating factors in culpability such as dirty next door neighbors, public trash, vacant buildings, and the ineffectiveness of the landlord to close holes and crevasses in the property. This bill would be ineffectual in its application and tries to remedy a non-issue.

Public Justice Center asks that the Committee **issue an UNFAVORABLE report on HB 549**. If you have any questions, please contact: Matt Hill, [hillm@publicjustice.org](mailto:hillm@publicjustice.org), 410-625-9409, ext. 229.