

Bill Title: HB 709 Landlord and Tenant Residential Leases and Holdover Tenancies - Local Good Cause Termination (Good Cause Eviction)

Position: SUPPORT (FAV)

To: Environment and Transportation Committee

From: Kathy Porter, on behalf of the Long Branch Housing Action Team

Dear Chair Smith and members of the Judicial Proceedings Committee,

My name is Kathy Porter with the Long Branch Housing Action Team, which is working in coalition with other organizations as Renters United Maryland. I am submitting this testimony in support of HB 709 Landlord and Tenant Residential Leases and Holdover Tenancies - Local Good Cause Termination (Good Cause Eviction).

The Long Branch neighborhood of Silver Spring and Takoma Park in Montgomery County is a very diverse neighborhood with tenants and homeowners, families of all income levels, people of many races and ethnicities, and several languages spoken. About half of our neighbors are renters and many of them are immigrants.

Much of our housing stock is older and some rental units have consistent problems with conditions in violation of the housing code. Yet, many tenants are afraid to complain about housing code violations because they fear they will be evicted. Those who are immigrants are especially fearful of speaking out. One tenant, whose son suffered from asthma, lived with mold in her apartment for months. Her landlord's solution was to paint over the mold, which only temporarily covered up the issue and did not address the underlying problem. Yet, because she feared being evicted, she was afraid to press him too hard to correct the problem.

Current law, which allows tenants to defend themselves against eviction if they can prove the eviction is retaliatory, is not adequate to protect most of our tenants. One tenant, who did speak up about conditions in her building, is now fighting in court an eviction order that was clearly retaliatory. While she knows her rights, has obtained legal counsel and has the job flexibility to attend multiple court appearances, most of her neighbors do not. Some of her neighbors who worked with her to improve conditions in her building have accepted clearly retaliatory evictions. They may have been threatened, they may fear not being able to get a good reference from the landlord, or their experience may be that low-income tenants, like themselves, cannot win in the courts against landlords. This is why just giving them legal means to fight a retaliatory eviction is not enough to protect them; these evictions need to be prevented in the first place.

HB 709 does not impose an undue burden on landlords. It provides many causes that would allow a landlord to evict a tenant, including actions by the tenant that damage the property, violate the lease, disturb other tenants, or make it difficult for the landlord to manage the property, among other reasons. It also allows landlords to evict tenants if the landlord decides to do major renovations, live in the property himself, or just remove it from the rental market. Small landlords – those who own fewer than six rental housing units – are exempt from the law.

It is indefensible that a state like Maryland, which enjoys great diversity in its population and is

committed to fairness and equality for all, is one of only five states that explicitly prohibits counties from passing good cause eviction laws. HB 709 would only allow local jurisdictions to pass good cause laws; each county could decide for itself if such laws were appropriate for that county.

Research shows that good cause eviction laws greatly decrease eviction filings meaning that fewer Marylanders would be at risk of being put out of their homes. This would mean fewer evictions for Black Maryland residents who – because of centuries of government-sponsored housing discrimination – are disproportionately impacted by evictions. 1 in 4 Black children in renting households face the threat of eviction each year due to structural and systemic racism. The research is also clear that good cause eviction has no impact on new housing development.

As Maryland's budget deficit looms, passing enabling legislation for local good cause eviction laws would save the state money on support programs and provide a no-cost way to prevent homelessness, strengthen our communities, and hold corporate landlords to account.

I urge a favorable report on HB 709.