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HB1076 – Residential Real Property – Landlord and Tenant – Notice of Landlord Entry Environment and Transportation Committee Hearing February 25, 2025

Position: FAVORABLE

To the Honorable Members of the Environment and Transportation Committee:

[Community Legal Services](#) (CLS) strongly supports HB1076, which would require landlords to provide tenants with at least 48 hours’ written notice before entering a rental property, except in cases of emergency.

Community Legal Services (CLS) is a nonprofit organization that provides free legal services in a broad range of substantive areas to individuals and families who meet income-eligibility restrictions. Our organization is committed to promoting family and community stability and success by providing high quality legal representation for individuals and families who otherwise would not have access to justice and due process.

Why is There a Need to Legislate What Should Be Common Sense and Common Courtesy?

CLS has a very robust housing practice. We represent thousands of tenants every year, many of whom are low-income, elderly, or disabled. While one would expect landlords to provide reasonable notice before entering a tenant’s home out of common courtesy and respect, our experience has shown that this is often not the case. Far too many tenants suffer from intrusive, unannounced, and even abusive entries by landlords, which create fear, stress, and insecurity in their own homes.

Our clients regularly report experiences of their landlords enter a tenant’s entering their homes without reasonable or any notice. **Improper entries generally occur in two troubling ways:**

1. Harassment and Intimidation. Some landlords use their access to stalk and harass tenants, particularly those who are vulnerable, including tenants living alone, elderly tenants, and those with disabilities. Unfettered access allows landlords to weaponize their control over a tenant’s living space, making them feel frightened and unsafe in their own home.

2. Manipulation of Maintenance Issues. When tenants report unsafe or uninhabitable conditions, some landlords show up unannounced in response, claiming they are there to make repairs. If the tenant is unavailable or unable to allow access on short notice – perhaps because they are at or are scheduled for work or have childcare obligations - the landlord may then blame the tenant for failing to cooperate, using this as a pretext to evade responsibility for necessary repairs. In some cases, landlords have even turned this into a basis for retaliatory eviction, claiming that the damage to the property was caused or exacerbated by the tenant’s refusal to grant entry.

The simple requirement of 48 hours’ advance written notice ensures that tenants can plan accordingly, be present if they choose, and feel secure in their homes. This policy is in line with the reasonable expectations that any homeowner would have and does not impose an undue burden on landlords. Additionally, HB 1076 strikes an appropriate balance by allowing landlords immediate access in cases of emergency where the safety of the property or its occupants is at risk.

Providing an Avenue for Court Protection is Necessary

Equally important to the advance notice requirement is the provision in HB 1076 that allows tenants to seek injunctive relief to prevent unauthorized entry by their landlord. Without an enforcement mechanism, tenants who experience repeated unauthorized intrusions have little recourse beyond escalating conflict with their landlord or feeling forced to leave their home. By allowing tenants to seek a court order to stop these violations, the bill provides a crucial tool to ensure that tenants’ rights are not just theoretical, but practically enforceable. This protection is particularly vital for tenants facing harassment, as it empowers them to take action before a situation escalates into one that threatens their safety or forces them out of their home.

Conclusion

HB 1076 is a common-sense measure that upholds tenants’ basic rights to privacy and security in their homes. It ensures that landlords cannot use surprise entries as a means of harassment, intimidation, or retaliation while still allowing flexibility in cases of genuine emergency.

For these reasons, CLS urges the Committee to give a favorable report to HB1076. Please contact Jessica Quincosa, Executive Director, and Lisa Sarro, Director of Litigation & Advocacy, with any questions at quincosa@clspgc.org and sarro@clspgc.org, respectively.