

Testimony on HB 709 Landlord and Tenant – Residential Leases and Holdover
Tenancies – Local Good Cause Termination (Good Cause Eviction)
Hearing of the Environment and Transportation Committee, February 18, 2025
Position: **Favorable**

Dear Chairman Korman, Vice Chair Boyce, and Committee Members:

My name is Rebecca Clausen. I am a single parent to three teenage daughters; a decorated, 30-year, 100% permanently and totally disabled Medical Service Corps combat veteran; a former senior federal GS employee and Class of 2010 Presidential Management Fellow; and a resident of Anne Arundel County since 2012. I am writing to express my strong support for HB 709. My family has endured severe hardships due to Maryland's toothless tenant protections, which have allowed landlords to retaliate against us and fail to meet their legal obligations without any consequences.

Unlike the vast majority of Marylanders facing eviction, I have been represented by an attorney, which has been critical in navigating the legal system, but it was not enough. It can never be enough because landlords hide behind their silence and wall of privilege and evict families without having to state a legitimate reason. *Good cause eviction flips that script by requiring landlords to show why they want to evict the renter.*

Hazardous Living Conditions. This issue is not an issue of poverty or bad tenants, nor is it confined to Baltimore. My family and I are stellar tenants who have faced systemic failures in Maryland's housing laws and judicial system. These failures have left us vulnerable to unsafe living conditions, retaliatory actions, and a lack of accountability for landlords. Since leasing a home in Gambrills, Maryland that is less than one mile from our schools (AMS and AHS) - my family has faced a series of egregious violations by our landlord, SMD Management, LLC (aka SMD Capital Group). These violations have not only jeopardized our safety but have also exposed the systemic failures of Maryland's legal system.

I have reported the hazardous issues below to the landlord and local agencies:

- Repeated flooding with ankle-deep rainwater entering the basement causing extensive mold and damage to our personal possessions.
- Leaking pipes and toilets in the kitchen and bathrooms have caused dangerous water damage and additional, prolific mold growth. This has caused respiratory issues, allergic reactions, and long-term health risks for my family.
- Failure to repair chipping lead paint and provide the mandated lead certificate from the MD Dept. of the Environment.
- Structural defects including rotting floors, holes in the walls, and exposed electrical wiring.
- Severe rodent infestation coming from 2-foot holes in the ceiling.

The Health Department, Housing Protection Services, Md. Dept. of the Environment, mold experts, and pest experts have been to the property and documented these issues. The government agencies have issued multiple violation notices and citations, but have not imposed any of the fines outlined in the citations.

Retaliation and Lack of Landlord Accountability. Instead of making the needed repairs, and just 14 days after being cited for dozens of unremediated housing code violations, the landlord issued a notice of lease nonrenewal. We fought the eviction case in court, and my lawyer did the best that she could, but we lost. It's almost impossible to prove that someone else acted out of retaliation, and there is never a so-called "smoking" gun. Landlords are not made to prove anything – and so we lost and my family is facing imminent eviction.

The constant threats of eviction and unsafe living conditions have caused significant emotional distress, anxiety, and sleepless nights for my family. Mental health care is inextricably intertwined with rental health care. Not to mention that it is next to impossible to find a new rental home with an eviction judgment on your rental history. I've applied and applied and been rejected repeatedly because of this eviction judgment. I honestly do not know where we are going to go.

The worst part is that the landlord has ignored the citations from Housing Protection Services and MDE, and refused to fix any of these critical health and safety violations including lead hazards and severe mold growth. So I know that the next renting family in this home is going to endure the same severe threats to their health and safety and the same retaliation and eviction when they try to stand up for themselves.

The Need for HB 709. HB 709 is essential to protect tenants like me from retaliatory actions and ensure that landlords are held accountable for maintaining safe and habitable housing. Anti-retaliation laws will never work when the tenant has to prove what the landlord is thinking when they move to evict you. Without good cause eviction, tenants remain vulnerable to exploitation and abuse, as my family's experience demonstrates.

Conclusion. I served my country honorably for 30 years, including combat service. Yet, the very laws and freedoms in Maryland that I stood up to defend have failed my family. My children and I have been forced to endure hazardous living conditions, retaliation, and now eviction because the laws allow landlords to hide. Now, because of this eviction record, landlords are declining our applications to rent another home. As a result, we will become one of the thousands of homeless families in Maryland.

HB 709 represents a vital step toward ensuring that all Maryland residents have access to safe, stable, and equitable housing. I strongly urge the committee to vote in support.

Rebecca Clausen