



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

February 23, 2025

To: The Honorable Marc A. Korman
Chair, Environment and Transportation Committee

From: Delegate Jen Terrasa
District 13, Howard County

Re: Sponsor Testimony in Support of HB 1076 - Residential Real Property - Landlord and Tenant - Notice of Landlord Entry

Dear Chair Korman, Vice Chair Boyce, and Members of the Environment and Transportation Committee,

Thank you for the opportunity to present HB 1076, which closes a significant gap in Maryland's landlord-tenant laws by allowing landlords to enter leased premises:

1. Between 9 am and 5 pm if the tenant has been given at least 48 hours in advance of a planned entry for reasons such as maintenance and repair work;
2. In the event of an emergency to ensure the imminent protection, preservation, or safety of the property or its occupants; or
3. If the tenant gives specific permission to enter the property sooner.

Problem/Background

When a landlord rents a property, he or she contractually grants the tenant the exclusive right to occupy the property. Tenants reasonably believe that they are entitled to privacy in exchange for their obligations under the lease. Indeed, Maryland law specifies that a lease for real property contains an implied covenant of quiet enjoyment unless otherwise specified.¹ This means that tenants are entitled to reside in their homes without undue interference from the landlord or third parties.

Common sense dictates that there are some situations in which a landlord may need to enter a rented property. In addition to emergency situations, these include entry for the purposes of repairs, inspections, or showing the unit to a prospective tenant or buyer.

¹ Maryland Real Property Article § 2-115.

Other than in emergency circumstances, such visits are not of an urgent nature and can and should be scheduled in advance.

Currently, while some counties offer some guidance on this, Maryland does not have a statewide law that addresses when a landlord may enter a residential property.² This gap in the law can lead to problems ranging from inconvenience to awkward to completely inappropriate. For example, the family may be in the middle of a family meal or a bedtime routine, the person could be having a work meeting or date night. Even more disturbing are accounts of landlords who suspiciously enter the property repeatedly when the lone female tenant is showering or undressed.

Unfortunately, the lack of clarity in the law about this allows landlords to raise the tenant's supposed "refusal" to allow entry into the property as a defense in a rent escrow case.

Solution

HB 1076 will help landlords and tenants avoid conflict by setting a clear standard of notice and acceptable purposes for entry. It would also help prevent unscrupulous landlords from improperly raising the tenant's failure to let the landlord in as a defense in rent escrow cases.

Importantly, HB 1076 contains an exception for emergency situations or where the tenant gives explicit permission to enter the premises.

Many landlords recognize that it benefits them to have clear rules communicated to tenants regarding landlord entry into a rented property. For this reason, residential leases often contain a provision governing when the landlord may enter. Out of 50 states and the District of Columbia, 38 jurisdictions have laws addressing when a landlord may enter a rented property. They have these laws because they simply make sense. It's time for Maryland to join them.

I respectfully urge a favorable report on HB 1076.

² Prince George's County has its own local law regarding this issue. See Prince George's County Code § 13-155.