

SB 651 – LOCAL GOOD CAUSE TERMINATION (GOOD CAUSE EVICTION)

HEARING BEFORE THE SENATE JUDICIARY COMMITTEE

2/18/25

Position: Favorable

Shore Legal Access (formerly Mid-Shore Pro Bono) supports SB 651 because it will prevent tenants from being evicted without good cause and protect tenants from the adverse financial and psychological effects of unwarranted evictions. This bill authorizes a County to enact, by local law or ordinance, provisions prohibiting certain landlords of residential property from failing to renew a lease during the lease period or from terminating a holdover tenancy without good cause. This bill also establishes certain requirements and prohibitions for a local law or ordinance adopted in accordance with the bill.

Shore Legal Access (SLA) connects people on the Eastern Shore with limited financial means to legal representation and essential community resources. Each year, SLS helps over 3,800 people in our communities access the legal system when they would otherwise be shut out. Our small legal team and network of volunteer lawyers provide free legal services for eviction prevention, criminal record expungement, life and estate planning, family law, foreclosure, and consumer debt. These services help families gain financial and housing stability and create safe, secure homes for children.

SLA is a provider of legal services under the Access to Counsel in Evictions (ACE) program in 8 Eastern Shore counties (Caroline, Dorchester, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester). Tenants on the Eastern Shore have embraced the opportunity to obtain legal representation through the ACE program since the program began in 2022. Since July 1, 2022, SLA's staff and volunteers have represented over 1,660 Eastern Shore tenants with mover favorable outcomes in nearly every case. These services collectively helped tenants reduce their financial burden by over \$368,000. When given the chance to have representation, tenants are taking advantage of that option, and as a result, getting better outcomes.



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Requiring good cause for evictions would prevent landlords from circumventing Maryland's breach of lease requirements set forth in MD Real Property § 8-401.2, and applicable case law that requires landlords to prove a breach of lease, and that the breach was substantial and warrants eviction. At SLA, we have assisted several tenants with landlords who preferred to terminate leases without cause and bring a tenant holding over (THO) claim in rent court in lieu of a breach of lease claim. This has become a more common practice by landlords on the Eastern Shore. For example, in one case, a landlord terminated our client's lease after a complaint was made about alleged noise caused by our client. Instead of bringing a breach of lease claim, the landlord issued a lease termination notice and our client was evicted for no cause. In another example, our client disputed a charge for damages and soon thereafter she received a lease termination notice citing her non-payment of alleged damages as a violation of the lease and warranting termination. She was issued a 60-day notice to vacate and when she was unable to secure additional housing within that timeframe, a tenant holding over action was filed. A breach of lease action would have been more proper, but these proceedings have much higher standards than a tenant holding over action. Without needing to cite a reason or prove a violation of the lease that warrants eviction, the landlord was able to bypass tenant protections simply by providing a notice of termination. Tenant holding over defenses are typically a matter of proper notice. In addition, there is no right of redemption in a THO action, which means tenants must vacate the premises.

Evictions can be especially traumatic to individuals and families. Clients we represent in eviction cases face the physical loss of their home (and in some cases their personal belongings). They also may suffer from the psychological harm that comes from being forced out of their home, or be forced to live in dwellings that are unsafe. For example, one of our clients lived in a housing unit that a local housing enforcement agency determined was not in compliance with local building and safety codes.

Good cause for evictions is a requirement in federal and state subsidized housing and it is based on sound housing policy that promotes housing stability for our clients and their families. For example, good cause requirements for evictions can have the following benefits:

- Protecting renters from evictions for no fault of their own;
- Providing stability to tenants;
- Discouraging renters from self-evicting when they receive eviction notices from landlords;

- Empowering tenants experiencing poor living conditions, discrimination, or other illegal landlord behavior to advocate for improvements with landlords or file complaints without fear of retaliation; and

- In some cases, protecting tenants from unreasonable rent increases.¹

SB 651 will provide local governments with the ability to limit the harmful effects of evictions that are not based on good cause. This bill would also significantly improve housing stability, particularly in a housing-scarce area like the Eastern Shore. Localities that enact just cause termination provisions afforded by this measure will be able to provide tenants with a sense of security in their housing situation and prevent homelessness. SLA supports SB 651 and urges the Committee’s favorable recommendation on this bill. If you have any questions regarding our position on this bill, please contact Meredith Girard, Executive Director at 410.690.8128 or e-mail mgirard@shorelegal.org.

¹ See, National Low Income Housing Coalition, “Advancing Tenant Protections, Just Cause Eviction Laws,” September 7, 2023.