

SB-566 Testimony Letter.pdf

Uploaded by: Susan Malone

Position: FAV



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ALLEGANY COUNTY HUMAN RESOURCES DEVELOPMENT COMMISSION, INC.

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Testimony to the Senate Judicial Proceedings Committee
SB599 Real Property - Filing Fee for Residential Mortgage Foreclosure - Increase
Position: Favorable

February 4, 2025

The Honorable Senator William Smith, Chair
Senate Judicial Proceedings Committee
2 East, Miller Senate Office Building
Annapolis, Maryland 21401
cc: Members, Judicial Proceedings Committee

Honorable Chair Smith and Members of the Judicial Proceedings Committee:

The Allegany County Human Resources Development Commission, Inc. (HRDC) is a private non-profit Community Action Agency. The purpose of HRDC, which was originally mandated by the Allegany County Commissioners, is to combat poverty and the problems of the disadvantaged in Allegany County. HRDC's goals are centered on the development of a wide variety of programs and activities designed to alleviate those problems and relies on Federal, State and local grants to administer its over 30 programs.

SB 566 would increase the filing fee for residential foreclosures. The fees fund the Maryland Housing Counseling Fund. The fund pays for housing counseling, legal services, as well as, foreclosure mediation. This fee has not been changed since 2010. Our organization has received funds for our work and served hundreds of clients. According to recent analysis by ATTOM, Maryland was among the states with the highest foreclosure rates in December 2024.

Why Your Organization Cares About This

HRDC is a HUD-certified housing counseling agency and has been providing housing counseling services since 2010 and homebuyer education since 2016. The Maryland Housing Counseling Fund has been a key source of funds for HRDC allowing us to provide foreclosure prevention and first-time homebuyer education. MHCF has assisted HRDC to serve 362 households / 434 individuals.

We support SB 566 and urge a favorable report.

Sincerely,

Susan Malone
Director, HRDC Department of Housing and Community Services



Rebel's Story.pdf

Uploaded by: Justin Ready

Position: FWA

Summary of Events Summer/Fall 2023

Rebecca E. Boykin

February 4, 2025

First let me provide you with background I obtained on Bill and Donna (not their real first names), after they deceived me and took over my home for six months

Bill and Donna are an unmarried late-middle-aged couple that became active in my local church, St. Johns Western Run Parish. Bill told the church members that he lived in Los Angeles and was traveling the country working on a documentary on a grief-related topic (his son had committed suicide while attending Gallaudet University, a school for deaf and hard of hearing students). Verifiably, he had an Internet Movie Database page and many years ago had actually directed one feature length movie. His personal grief narrative was of public record and factually accurate. His girlfriend Donna had been a partner in a failed restaurant in Baltimore and bounced around a number of semi-creative self-employed jobs such as feng shui master. They used the contacts they made at my Church to find short term housing situations, initially “to finish post-production on the documentary;” later “to wait for one more interview from someone in Maryland whose interview was particularly meaningful for the documentary.” They would quickly outstay their welcome with their housing provider and would present their situation to another church member: The person they were staying with needed them to leave *immediately* on some pretext, such as a relative coming to visit from another country. The new church member might offer them temporary housing at an affordable rent to help them out of their jam and then find themselves with a tenant that refused to leave or pay rent. Two years went by and the documentary was never completed and I was advised that Bob and Donna moved at least five times and at one point it appeared they were living out of their car.

With that background not known to me, The first of June 2023, Bill strolled up my driveway. He said he was there because he needed a temporary (2 week) place to live. He appeared desperate, telling me the place into which he was to move had fallen through. Out of Christian charity I told him he was welcome to stay in one of my spare bedrooms for the limited two-week period. No rent was charged. I did not sign a written lease with him as I thought I was just helping him out for two weeks

Bill moved in the same day. What he did not tell me was that his partner, Donna, would be moving in with him. She arrived shortly after Bill began transferring his belongings from his car to my home. Donna also moved her belongings into the house. But unlike Bill, her belongings were extensive, taking over two days to transfer. A sense of unease came over me – the amount of their belongings suggested a stay of more than two-weeks.

At the end of the initial two-week period, there was no sign that they were leaving my home, or had any intention to depart. They were silent regarding any future plans.

Given that they had not departed, or shown any intent that they intended to do so, I thought compensation (i.e., rent) for use of the spare room (which had become use of the entire house), was appropriate. I then talked to them about monthly rent, to be retroactive to when they had moved in.

The rent would be due the first day of each month. We agreed on \$1,200 a month. However, there was no written lease. An end of August move out date (I thought) was agreed to as I had family coming

No rent was paid until mid-July when Donna came to my summer home to pay me \$1,200 in cash. I had suggested that she leave the money in the dry sink in the hallway to the dining room. Since she didn't do that, and she drove over an hour to get to my summer home, I had a sense that she did not trust Bill. I told her that she still owed rent for July and once more emphasized the required August move out date. I also expressed some concern for her welfare because she was working 2 to 3 jobs while Bill had no income/job. At that time, Donna suggested Bill do some chores around my home to keep him busy and count. I told Donna that was not necessary. Nevertheless, Bill painted my side fence; that I had started to paint, I supplied all the materials. Unfortunately, he undertook tasks I did not request, for example, trimming bushes I had no intent to trim.

I continued to stress to Bill and Donna that the longest they could live in my home was until the end of August. I would be having my niece and her family coming the first full weekend in September. Then, I had agreed that my neighbor / cousin could stay for the Maryland school year. His family had moved to Virginia. But he had to complete a teaching contract

Mid-August arrived. I had not received any additional rent payments. And I saw no efforts to move out by the end of the month. Bill advised me his services (painting the fence) constituted compensation for his use of my home. He actually, obtained estimates on what a fence-painting job would cost, and told me that was his rent. I did not agree

During the period they stayed in my house, I came home 1-to 2 days each week to do laundry, pick up mail, and complete small chores around the house. I also touched base with my neighbor friends to find out if they had seen any suspicious activity by Bill and Donna. Huge arguments were in fact overhead...

Then Labor Day weekend arrived. Bill and Donna did not move out. Bill advised me that he and Donna could not move because the place they had lined up had fallen through. I strongly doubted his excuse. I had to cancel my niece's plans and those of my cousin to stay at my home for the 23/24 school year. Both had to rush to make other arrangements.

Once Labor Day weekend arrived and Bill and Donna were still residing in my house, I realized I needed an attorney. Luckily, I was able to find one on Labor Day weekend who I met with on the immediately following Tuesday.

The first fact I learned from my attorney was that Bill and Donna not leaving my home, as requested, "happened all the time." The next fact I learned was that I had to go through a formal eviction process that could take months. In addition, because Bill had handed me a letter advising that I had harassed him, (Tuesday AM) I would need to immediately vacate my home. If I did not do so, per my attorney, suggested anything I said or action I took would be deemed by Bill to be additional "harassment." Luckily, I had multiple friends, in addition to my sister, that offered me lodging. I chose to stay with my sister where I resided until mid-December. Other than that short visit, I was unable to return to my home until December.

While staying at my house, Bill and Donna acted like it was their home. For example, they offered to give the new neighbors a tour of the house. They placed pumpkins on the front porch during harvest season. They rummaged through my basement and found other holiday decor, which they also put on the front porch. As a result, my attorney had to send a cease-and-desist letter telling them to stay out of my belongings.

I had posted a 90-day eviction notice on my property after my first visit with my attorney. When Bill and Donna did not depart, a hearing was scheduled for late November. I learned that placing an eviction notice on the property was only the first step in the removal process. And during the removal process Bill and Donna got to stay in my home. Based on the timing of the eviction process the hearing would be just before Thanksgiving. My attorney advised me that the judges and sheriffs don't want to evict during that timeframe. It's the holiday season. But the eviction process did not care about me -- the owner of the home. Protections were provided to Bill and Donna, who lived at my home rent-free and treated the house as if they were the owners

Coincidentally, I had an appointment with my cardiologist a week before the scheduled hearing. Based on my history (I had a heart attack in 2021), stress was deemed to be a predominant cause of the heart attack which released lipids. When I described the circumstances with Bill and Donna, my cardiologist wrote a letter to my attorney/ whomever explaining that the Bill and Donna situation increased stress and could lead to a future heart attack if not promptly resolved.

The hearing was scheduled just before Thanksgiving. The day before the hearing my attorney was contacted by an attorney that had been retained by Bill and Donna. My attorney sent their attorney a copy of the letter from my cardiologist. After receipt of the letter, Bill and Donna's attorney advised his client wanted to come to an agreement. He suggested that Bill and Donna would vacate my home by December 10, 2023. They did depart on that day.

But during the period when they occupied my house, I had no access to my home. I had to buy new clothes for the fall and winter season because everything I owned for those Seasons was in my attic. I could not make plans with friends not knowing if I would be in Baltimore or Anne Arundel County where my sister lives. 9(One time, when my neighbors told me Bill and Donna were not at the house, I stopped by to remove jewelry and similar valuable items, could not get to the attic spaces).I did not celebrate Thanksgiving in my home. But the largest problem I had was the psychological stress I suffered.

Immediately after Bill and Donna vacated my home, as recommended by my attorney, my brother and neighbors arrived do videoed a walk-through to see if they had damaged the house. We then discovered that Bill had emptied every bottle of alcohol that had been in the home. For example, I had a fine scotch collection that was owned by a supper club, called the Burns Club, which I organize around an annual Burn's Supper. He had placed a small amount of brown water, which looked similar to scotch, to suggest that the bottles were not empty.

As an aside, Bill attempted to harass our minister. The minister spoke to Bill on my behalf to resolve the conflict. Subsequently, Bill wrote the bishop re. the minister, and then again after they moved out from

my home. His letter informed the Bishop that the minister was terrible and unchristian and I was a "horrible person," and that I was not worthy to be on the church vestry that I had been nominated for by fellow congregants (which is our church board).

During the time period during which Bill and Donna resided in my home, I sought information about him on the Internet. I found an online post that advised "user."

In summary, I was taken advantage of because I thought I was being a good Christian by offering Bill a place to stay for two weeks. But that's not what happened. I lost my home for a long period of time. IN addition, the legal process did not assist me -- It was time-consuming and expensive. He had approached me in June for two weeks. I did not get my home back until December 10. The system favors those that know best how to abuse it. Unlike many others, I was lucky to have a place to live -- I don't know what others do in my situation. The legal remedies are one-sided in favor of those illegally staying over in the premises of another.

It's been traumatic for me to put together this summary of events. I try not to think about that time period. When I do, I'm stressed again. Life is too short. I just want a more efficient remedy so that others do not need to go through what I went through.

Respectfully submitted,

Rebecca E Boykin.

SB556FraudLeaseorListing.pdf

Uploaded by: Justin Ready

Position: FWA



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

February 6, 2025

**SB 556 - Real Property - Fraudulent Possession and Unauthorized Lease or Listing -
Prohibition and Removal**

Chairman Smith and Members of the Judicial Proceedings Committee,

As amended, Senate Bill 556 would prohibit the knowing and willful presentation of certain false documents in order to possess real property; prohibiting a person from leasing another real property the person does not own or is not authorized to lease and from listing or advertising for sale real property if the person knows the purported seller is not the owner of the property.

Importantly, it would also authorize the owner of residential property or an agent of the owner to request that a sheriff return possession of residential property to the owner under certain circumstances. The sheriff would be required to serve notice immediately to vacate a property to an unlawful occupant and return possession of the property to the owner; the sheriff would have the authority to arrest individuals while allowing an individual harmed by wrongful removal from a residential property the ability to recover damages.

This legislation would also establish that an owner is not liable to an unlawful occupant of residential property for damage to or the destruction or loss of certain personal property and that that a sheriff is not liable to any party for damages to property resulting from the removal of an unlawful occupant from a residential property.

Amendments were requested by The Maryland Multi-Housing Association, and lowers the damages and time served from the original bill.

I respectfully request a favorable on Senate Bill 556.

MMHA - 2025 - SB556 - FWA.pdf

Uploaded by: Matthew Pipkin

Position: FWA



Senate Bill 556

Committee: Judicial Proceedings

Bill: Senate Bill 556 Real Property - Fraudulent Possession and Unauthorized Lease or Listing - Prohibition and Removal

Date: 2/6/25

Position: Favorable with Amendments

The Maryland Multi-Housing Association (MMHA) is a professional trade association established in 1996, whose members house more than 538,000 residents of the State of Maryland. MMHA's membership consists of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities and more than 250 associate member companies who supply goods and services to the multi-housing industry.

Senate Bill 556 ("SB 556") prohibits the intentional fraudulent sale, conveyance, or lease or attempted sale, conveyance, or lease of residential real property by a person who does not own said property. It prohibits a person from possessing or claiming a right to possess real residential property that they do not have the legal right to possess. It also permits the owner of said property to file an affidavit and have a law enforcement official remove that unauthorized person from their property.

This legislation addresses a growing concern in Maryland's real estate market, namely that an owner's rights are at risk as to whom or what entity they would like to sell, convey, or lease their property. Instead, owners become entangled with an individual with whom there is no contractual relationship. MMHA believes that SB 556 can be the vehicle to effectively combat fraudulent activities that pose a significant risk to property owners, legitimate tenants, and the community at large.

Below we will outline a couple of critical scenarios that threaten property owners and tenants alike.

- 1. Inability to Screen Unauthorized Occupants:** The screening of applicants is a critical component of the leasing process. While it is true that owners cannot guarantee safety, measures are taken to attempt to screen those who desire tenancy at their property. For many of our members, background checks may require a screening of the National Sex Offender Registry. In many cases, if an individual is listed on that registry, a lease would not be offered. Removing the ability to run that screening exposes an owner to potential lawsuits. Simply stated, owners need to know who is residing in their property. This legislation seeks to provide a tool for the owner to not only remove that individual and restore possession to the rightful owner but also mitigate the safety risk to other tenants.
- 2. Unauthorized Subletting:** An essential part of many of our members' leases, is that a tenant is not allowed to sublet their apartment. Executing a sublease that is explicitly prohibited is a material breach of the lease. Moreover, while the typical response to a

breach of lease is to issue a management notice, that would be against the actual leaseholder, not the unauthorized subleasee. An unauthorized subleasee may not vacate the property which will require the owner to file a wrongful detainer action. This legislation will enable the owner to not only regain possession of their property that was fraudulently acquired by the unauthorized subleasee but also hold the tenant directly responsible for the fraudulent lease.

With this said, MMHA would respectfully request friendly amendments to SB 556 by replacing and incorporating language from Senate Bill 46 and Senate Bill 489's 8-906 sections. Additionally, we would suggest the following for 8-906 (c):

(C) (1) THIS SUBSECTION DOES NOT APPLY IF:

(I) THE PERSON IN ACTUAL POSSESSION OF THE RESIDENTIAL REAL PROPERTY HAS BEEN GRANTED POSSESSION UNDER A COURT ORDER; OR

(II) THE PERSON IN ACTUAL POSSESSION OF THE RESIDENTIAL REAL PROPERTY PRODUCES EVIDENCE OF LAWFUL POSSESSION OF THE PROPERTY TO A LAW ENFORCEMENT OFFICER; OR

(III) A REMEDY IS AVAILABLE UNDER TITLE 8 OF THE REAL PROPERTY ARTICLE.

These amendments would clear the intent of the legislation and match language from other bills, bringing a more comprehensive legislation together to combat these concerns. MMHA stands ready to work with sponsors and stakeholders alike to get SB 556 over the finish line.

Please contact Matthew Pipkin, Jr. at mpipkin@mmhaonline.org or Ashley Clark, Esq. at ashley.clark@mdlobbyist.com with any questions.

SB556.pdf

Uploaded by: Robert Slade

Position: FWA

As we were filling out financial aid information for our college age daughter on 11/20/23 for the 2024-2025 school year, we were naturally required to report assets that we have and their value.

Recently, we purchased a building lot from the estate of my late mother. This is enabled us to keep a small piece of our family farm.

Much to our surprise, when we looked up on Zillow the value of the property, we saw it was listed for sale. Needless to say, we had not listed, nor were we trying to sell the property. This was fraud. We called the Carroll County sheriff's office and a deputy came out, and although he was very nice, he stated there was little he could do. He took an event report and suggested we contact the Carroll County States Attorney Office. We spoke with a Deputy States Attorney. Although he was very nice — again he said there was nothing they could do without any sort of police investigation. We went to the land records department and found out their records only show after a property transfer is completed. That sadly would be too late.

Upon researching, we found the property was listed by an agent in Hagerstown, MD who received the listing request online from Zillow. She never went out to see the property, and used photos online from a past listing from when the property was "for sale" as part of my mother's estate. We found out from the agent that the "seller" told her he lived out of state and could not come in to meet her in person. The seller fraudulently used my name—Robert Slade—with the agent. He set up a fake e-mail address with my name and a burner phone, which had a number that traced to Michigan. The listing company was difficult with us at first, refusing to take down the listing. Then it was like wack-a-mole, because every real estate site on the internet now showed the fraudulent listing for our property. We had to contact each site we could find and request they take down the listing. Some were more helpful than others.

We learned that since the fraud likely involved inter-jurisdictional actors, the FBI is the one charged with investigating this type of fraud. After waiting on hold for at least 30 minutes, we were connected with an agent who would only give their "agent number." They took a report and said they may or may not investigate the matter, and we would receive no follow up from them as to any findings they may or may not get. They said they would only contact us if they had any further questions. We have heard nothing from them.

We learned through this event that this type of fraud is becoming more common. If the sale goes through, it could be a legal sale resulting in the theft of the property from the real property owner. Through our research we learned that building lots, vacation homes, and farmers with multi-parcel deeds are most at risk. It places all properties in the state of Maryland at risk. All data needed to commit this fraud is available online from deeds to SDAT. I thoughtfully encourage the passage of Senate Bill 556 Real Property—Fraudulent Possession and Unauthorized Lease or Listing-Prohibition and Removal Act. I would recommend on 8-906 (A)(3) be changed to read "List or Advertise Real Property For Sale Knowing That The Purported Seller is Not The Lawful Owner of The Property." Also, I recommend omitting the word "Residential" so the act includes the sale or listing of all real property. Thank you for your consideration. I encourage you to speak with the County Clerk where you reside about their concerns with this matter. Thank you for taking the time to review my testimony in this very important issue. If you have any additional questions please feel free to contact me.

Robert Slade
Hampstead, Md 21074
(410) 236-0492

Testimony SB 556 2 4 25.pdf

Uploaded by: Anthony Rodriguez

Position: UNF

**SB 556 - Real Property – Fraudulent Possession and Unauthorized
Lease or Listing – Prohibition and Removal
Hearing before the Senate Judicial Proceedings Committee,
Feb. 6, 2025**

Position: OPPOSED

Shore Legal Access (formerly Mid-Shore Pro Bono) strongly opposes SB 556 because it will increase homelessness and raises the potential for violent encounters with law enforcement in our communities. We have seen too many tenants and other residents victimized by scams and predatory practices by landlords. SB 556 will remove existing tenant protections, empower predatory property owners to **evict residents without court oversight and due process**, and will **make the Sheriff the judge and jury** in certain cases. We strongly oppose this assault on our communities on the Eastern Shore.

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 more 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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SLA strongly opposes SB 556 and urges the Committee's unfavorable recommendation on this bill. If you have any questions regarding our position on this bill, please contact Anthony Rodriguez, Esq. at tonrod1894@gmail.com or Meredith Girard, Executive Director at 410.690.8128 or e-mail mgirard@shorelegal.org

SB556 Testimony.pdf

Uploaded by: Emilee Towey

Position: UNF



TESTIMONY

**Maryland General Assembly
Senate - Judicial Proceedings Committee
In Opposition of SB556 - Real Property - Fraudulent Possession and Unauthorized Lease
or Listing - Prohibition and Removal**

**Emilee Towey, 240-429-1127
Outreach Coordinator, Montgomery County Renters Alliance, Inc.
Feb. 6, 2025 at 1:00PM**

Good afternoon, Chairman Smith, Vice Chair Waldstreicher, and Committee members. Thank you for giving me the opportunity to speak today. My name is Emilee Towey and I am speaking on behalf of the Montgomery County Renters Alliance as one of our outreach coordinators. The Renters Alliance is Maryland's first and only regional nonprofit dedicated exclusively to renter outreach, education, organizing, and advocacy. Since our founding in 2010, the Renters Alliance has been an unwavering advocate for expanding and strengthening renter protections. Our mission to help renters directly contradicts SB556 and its intention to deny tenants their constitutional right to defend themselves before a court when they are in danger of losing their property.

The Renters Alliance strongly opposes SB556 because it enables property owners to circumvent due process eviction procedures, leaving tenants vulnerable to unjust removals from their homes. SB556 further perpetuates uneven power dynamics between landlords and tenants by allowing property owners to simply submit a written request to the sheriff for an immediate eviction of someone they *claim* is not the lawful tenant, without ever having to step foot in court to prove their accusation. SB556 unnecessarily encourages property owners to fast track the removal of tenants from their property without providing the tenant with an opportunity to be heard. This makes the sheriff both judge and jury - which is a dangerous precedent to set.

We are unfortunately very familiar with bad actors' efforts to diminish renters' rights and disrupt stable housing. Residents of rental housing already face a lack of due process without just-cause eviction protections. Landlords are currently allowed to non-renew any tenant with just 60 days notice, and they do not have to provide a reason for the request to vacate. If SB556 were to pass, landlords' unchecked power would only grow as they could then legally skip the process of filing and appearing in court to present the facts to a judge and can instead escalate to having the sheriff forcibly remove the tenant. We too often see predatory landlords abuse the lack of just cause protections to constructively evict tenants who complain about unsafe conditions and not receiving the services that they pay for and are entitled to. We caution that SB556 will be another protected avenue for predatory landlords to evict tenants who they do not like, and under this bill no judge will be required to weigh in to balance the scales.

The Renters Alliance firmly believes in renters' right to due process. We strongly urge an unfavorable report. Thank you for your time.

CASA_OPP_SB556 FINAL.pdf

Uploaded by: Jake Kmiech

Position: UNF



**SB 556 - Real Property – Fraudulent Possession and
Unauthorized Lease or Listing – Prohibition and Removal
Hearing before the Senate Judicial Proceedings Committee,
Feb. 6, 2025**

Position: OPPOSED

Dear Honorable Chair William C. Smith, Jr., Vice Chair Jeff Waldstreicher, and Members of the Committee,

My name is Jacob Kmiech, and I am a Staff Attorney with CASA. CASA is the largest membership-based immigrant rights organization in the mid-Atlantic region, with more than 120,000 members in Maryland.

CASA is a part of Renters United Maryland, which strongly opposes SB 556 because it will increase homelessness and the potential for violent encounters with law enforcement in our communities. We have seen too many tenants and other residents victimized by scams and predatory property owners. SB 556 will empower those predatory property owners to *evict residents without court process* and *make the Sheriff the judge and jury* in every case. We strongly oppose this assault on our communities.

CASA attorneys provide representation and consultations to tenants facing eviction across our state, and regularly prevent unlawful evictions by simply providing candid legal advice. **Our members are generally working-class immigrants, who are often threatened with eviction by unscrupulous landlords when they stand up for their rights to safe housing, legal representation, and a fair day in court.** Taking away the right to a fair hearing, before an impartial judge with knowledge of the often complex nature of housing law, will deprive our members of any sense of safety or fairness in their housing.

Many tenants and residents with the right to reside at the property will be evicted by predatory owners without court process. SB 556 strips residents of their constitutional right to have any eviction defense heard before a court. Instead, someone who claims to be the property owner (but may not actually be the owner) submits a written request to the sheriff for the eviction of someone who they claim is not a tenant, and the sheriff becomes the judge and jury on whether a family becomes homeless.

I have represented many tenants whose landlords have tried to circumvent the law and attempted to evict them without a court hearing, claiming that they were never renters in the first place. In one case, I received a call from a tenant - let's call her Mrs. M. Mrs. M. told me that she, her husband, and her two kids returned home late one evening to discover the door to their apartment locked. She had nowhere to go, and her family was left on the street for a week before getting into contact with me. **They did not even have access to her husband's insulin or her original lease contract,** which were now hidden behind closed doors. Their landlord's reason for eviction was a minor dispute over how much he could charge them for a security deposit - something that could have easily been resolved in court without upending a family's entire life. **He told them they would need to pay \$1000 before he'd let them back in to access their belongings.** After hearing their story, I was able to get into contact with their landlord and convince him that what

he was doing was clearly unlawful, and that it was in his best interest to let Mrs. M and her family back into their unit. He did so, and Mrs. M's right to a fair day in court may have saved her life.

Predatory landlords will abuse this process to evict tenants who complain about unsafe conditions. And landlords who threaten to report tenants as squatters will prompt plenty of tenants to vacate – even if that means homelessness – for fear of having the police called to their residences.

Rental scams are pervasive and increasing. Victims of these scams will quickly be made homeless under SB 556. A [2022 survey of renters showed that 44% of renters have personally experienced or are aware of someone who has lost money due to rental scams. The financial losses are estimated at a staggering \\$16.1 billion.](#) Such rental scams have spiked in recent years, with [the Better Business Bureau reporting a 45% increase in rental scam complaints over the past two years.](#) In one 2018 survey, [more than 5 million renters reported losing money in such scams.](#)

[Up to 25% of families who are evicted become homeless.](#) Becoming homeless is even more likely for residents evicted after a rental scam because those residents are often the most desperate for affordable housing. [Homelessness has a devastating impact, leading to negative education outcomes for children, increased foster care, job loss, and poor health outcomes.](#)

SB 556 will increase violent confrontations with law enforcement. [Eviction court processes were created to reduce the violence inherent in self-help evictions.](#) By removing any opportunity for a renter to make a defense in court, SB 556 will increase potentially violent confrontations among law enforcement, renters, and property owners.

SB 556 will have a disparate impact on Black, woman-led households. Maryland's long history of housing segregation and discriminatory policies mean that Black and Brown Marylanders are much more likely to be renters and at risk of eviction, and therefore more likely to be most in need of affordable housing and victims of rental scams. [73% of MD households that obtained eviction prevention funds in the pandemic's wake identified as Black, and 71% identified as being woman-led.](#)

SB 556 is part of a national, right-wing movement to strip residents of constitutional rights and embolden property owners at all costs. [SB 556 mirrors model legislation from American Legislative Exchange Council \(ALEC\), which has successfully passed in states such as Alabama, Tennessee, Florida, Georgia, and West Virginia.](#) Maryland should not join these states in passing legislation that will increase homelessness and the potential for violent law enforcement encounters.

Owners must adopt new processes and technologies to secure their units. Rental scammers are becoming more sophisticated, and [property owners of vacant units must keep up by using smart locks, security cameras, video doorbells, motion sensors, and](#)

[smart lighting](#), which allow for remote monitoring and access control, providing real-time alerts about potential security threats.

There is no data to support this bill. The General Assembly should conduct a summer study. This Committee is operating in a total absence of data related to Wrongful Detainer and the prevalence of squatting. How long does it take for a wrongful detainer complaint to be heard in court? How long from judgment to eviction? What best practices could sheriffs and courts adopt in wrongful detainer cases? Can Maryland revise the Wrongful Detainer process to address legitimate concerns while preserving due process for unsuspecting residents who believe that they are tenants? How can Maryland better assist victims of rental scams?

CASA is a member of Renters United Maryland, which strongly opposes SB 556 and urges an unfavorable report.

2025-02-04 SB556 SVO Wrongful Detainer Testimony -

Uploaded by: Jane Santoni

Position: UNF

Jane Santoni
Matthew Thomas Vocci
Chelsea Ortega



Vaughn Stewart^T
Eliza R. McDermott

^TMaryland, DC, TN Bar

February 4, 2025

**SB 556 - Real Property – Fraudulent Possession and Unauthorized Lease or Listing –
Prohibition and Removal
Hearing before the Senate Judicial Proceedings Committee,
Feb. 6, 2025**

Position: OPPOSED (UNF)

Dear Honorable Chair Smith and Members of Committee,

I am writing you as a citizen of this state and as a partner in the law firm of Santoni, Vocci & Ortega, LLC. Our firm exclusively represents tenants who have been harmed by illegal acts, and sadly, we see on a daily basis the devastating effect of evictions.

Santoni, Vocci & Ortega, LLC is a part of Renters United Maryland, which strongly opposes SB 556 because it will increase homelessness and the potential for violent encounters with law enforcement in our communities. We have seen too many tenants and other residents victimized by scams and predatory property owners. SB 556 will empower those predatory property owners to *evict residents without court process* and *make the Sheriff the judge and jury* in every case. We strongly oppose this assault on our communities.

Many tenants and residents with the right to reside at the property will be evicted by predatory owners without court process. SB 556 strips residents of their constitutional right to have any eviction defense heard before a court. Instead, someone who claims to be the property owner (but may not actually be the owner) submits a written request to the sheriff for the eviction of someone who they claim is not a tenant, and the sheriff becomes the judge and jury on whether a family becomes homeless.

My firm has seen its share of horrific evictions, including a military member who came home from boot camp to find herself locked out illegally, a young mother and daughter who found their items destroyed and the locks changed and their voucher gone, despite that the landlord had no right to do so, and an elderly and sickly couple who were wrongfully thrown out and their life savings stolen.

Predatory landlords will abuse this process to evict tenants who complain about unsafe conditions. And landlords who threaten to report tenants as squatters will prompt plenty of tenants to vacate – even if that means homelessness – for fear of having the police called to their residences.

Rental scams are pervasive and increasing. Victims of these scams will quickly be made homeless under SB 556. A [2022 survey of renters showed that 44% of renters have personally experienced or are aware of someone who has lost money due to rental scams. The financial losses are estimated at a staggering \\$16.1 billion.](#) Such rental scams have spiked in recent years, with [the Better Business Bureau reporting a 45% increase in rental scam complaints over the past two years.](#) In one 2018 survey, [more than 5 million renters reported losing money in such scams.](#)

[Up to 25% of families who are evicted become homeless.](#) Becoming homeless is even more likely for residents evicted after a rental scam because those residents are often the most desperate for affordable housing. [Homelessness has a devastating impact, leading to negative education outcomes for children, increased foster care, job loss, and poor health outcomes.](#)

SB 556 will increase violent confrontations with law enforcement. [Eviction court processes were created to reduce the violence inherent in self-help evictions.](#) By removing any opportunity for a renter to make a defense in court, SB 556 will increase potentially violent confrontations among law enforcement, renters, and property owners.

SB 556 will have a disparate impact on Black, woman-led households. Maryland's long history of housing segregation and discriminatory policies mean that Black and Brown Marylanders are much more likely to be renters and at risk of eviction, and therefore more likely to be most in need of affordable housing and victims of rental scams. [73% of MD households that obtained eviction prevention funds in the pandemic's wake identified as Black, and 71% identified as being woman-led.](#)

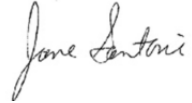
SB 556 is part of a national, right-wing movement to strip residents of constitutional rights and embolden property owners at all costs. [SB 556 mirrors model legislation from American Legislative Exchange Council \(ALEC\), which has successfully passed in states such as Alabama, Tennessee, Florida, Georgia, and West Virginia.](#) Maryland should not join these states in passing legislation that will increase homelessness and the potential for violent law enforcement encounters.

Owners must adopt new processes and technologies to secure their units. Rental scammers are becoming more sophisticated, and [property owners of vacant units must keep up by using smart locks, security cameras, video doorbells, motion sensors, and smart lighting,](#) which allow for remote monitoring and access control, providing real-time alerts about potential security threats.

There is no data to support this bill. The General Assembly should conduct a summer study. This Committee is operating in a total absence of data related to Wrongful Detainer and the prevalence of squatting. How long does it take for a wrongful detainer complaint to be heard in court? How long from judgment to eviction? What best practices could sheriffs and courts adopt in wrongful detainer cases? Can Maryland revise the Wrongful Detainer process to address legitimate concerns while preserving due process for unsuspecting residents who believe that they are tenants? How can Maryland better assist victims of rental scams?

Santoni, Vocci & Ortega, LLC is a member of Renters United Maryland, which strongly opposes SB 556 and urges as unfavorable report.

Sincerely,

A handwritten signature in cursive script that reads "Jane Santoni".

Jane Santoni

JL SB 556 UNFAV.pdf

Uploaded by: Jessica Leggette

Position: UNF

SB 556 UNFAVORABLE TESTIMONY

My name is Jessica Legette **and I am asking for an unfavorable report on SB 556.** I am a Baltimore City resident and a mother of 3. During the pandemic, I asked my landlord to fix some lead issues that were on the property. Instead, the landlord retaliated against me and kicked me out. I was left to scramble for a new place to live. Moving in a short period of time put my family in a tight spot financially. I was so relieved when I found a place within my budget, especially because the landlord told me I could move in right away.

Unfortunately, this was only the beginning of my trauma. Right after moving in, random individuals started coming to my place, saying they owned the property and wanted me to leave. None of them told me who they were or showed me any proof or paperwork. It was a scary and confusing time. I did not know who to trust. I realized that the person who rented me the house never owned it and had scammed me out of a few thousand dollars.

It will take a long time for my family to recover from the anguish we experienced during this time. My kids are suffering at school. My oldest can't sleep through the night. I have been diagnosed with PTSD.

The only thing that helped was getting legal advice that assured me that I had a right to a court process. This helped me understand that the aggressive strangers who kept coming to my door weren't entitled to throw me out at any moment. I soon faced a wrongful detainer case. The actual owner had to prove who he was, and the court process allowed me to understand how much time I had before I would have to move out. The Judge gave me some clarity about what was going on and little time to move out. That little time was crucial for me.

For the company that owned this property and many others, the house was an investment to be checked on every couple of months. For me, it was a home that would help my family get stable again. I never intended to squat in someone else's property. The city had issued this property a vacant building notice years before. I wish the owner had boarded it up like the city ordered in 2022. Then, I never would have fallen victim to this scam.

If SB 556 had passed, a Sheriff would have kicked me out into the streets without any time to gather my belongings or find alternative housing. That is terrifying. **We should not be punishing victims such as myself.**

SB 556 - Oppose _ The SOS Fund .pdf

Uploaded by: John Kern

Position: UNF



SB-556 Real Property – Fraudulent Possession and Unauthorized Lease or Listing – Prohibition and Removal

Date: February 6th, 2025

Time: 1:00pm

POSITION: OPPOSE

Unfavorable Testimony on Senate Bill 556

The SOS Fund, an independent 501(c)(3) non-profit organization, addresses the systemic housing instability experienced by historically red-lined communities in Baltimore City. This instability has resulted in generations of residents losing their homes, equity and community. **The SOS Fund opposes Senate Bill 556, "Real Property – Fraudulent Possession and Unauthorized Lease or Listing – Prohibition and Removal." This bill sets a dangerous precedent in the housing space, posing a grave threat to the rights and dignity of homeowners who have lost their properties due to ground rent foreclosures.**

The SOS Fund opposes Senate Bill 556, "Real Property – Fraudulent Possession and Unauthorized Lease or Listing – Prohibition and Removal." This bill sets a dangerous precedent in the housing space, posing a grave threat to the rights and dignity of homeowners who have lost their properties due to ground rent foreclosures.

Under SB 556, individuals who lose their homes through ground rent foreclosure risk being treated not as former homeowners, but as unlawful occupants—effectively equating them with squatters. Our organization, The SOS Fund, works with homeowners who are in this situation and it is our experience that either have attempted to pay their ground rent, but the management companies handling payments have changed address, or they are facing financial hardship.

SB 556 lacks safeguards to distinguish between bad actors and vulnerable individuals caught in legal and financial distress. Treating these former homeowners as trespassers undermines their dignity, exacerbates their hardship, and strips them of fundamental legal protections.

This legislation authorizes property owners or their agents to request immediate removal of individuals from residential properties without the due process protections typically afforded in eviction proceedings. The sheriff is empowered to serve an immediate vacate notice, change locks, and even

For the above reasons,

The SOS Fund urges an unfavorable position on this bill. Please contact John Kern, Director of Programs, with any questions.
john@thesosfund.com • 410-303-3738

arrest individuals for trespassing, all without a judicial determination of the occupant's legal status or consideration of extenuating circumstances.

In conclusion, SB 556 overreaches in a manner that endangers the rights of legitimate, yet vulnerable, individuals. I urge the committee to reject this bill in its current form and to consider revisions that ensure fairness, due process, and respect for all Maryland residents.

For the above reasons,

The SOS Fund urges an unfavorable position on this bill. Please contact John Kern, Director of Programs, with any questions.
john@thesosfund.com • 410-303-3738

SB0556 - Maryland Legal Aid - UNF.pdf

Uploaded by: Joseph Loveless

Position: UNF



Senate Bill 0556

Real Property- Fraudulent Possession and Unauthorized Lease or Listing – Prohibition and Removal

Hearing in the Senate Judicial Proceedings Committee

Hearing on February 6, 2025

Position: **UNFAVORABLE**

Maryland Legal Aid submits its written and oral testimony on SB0556 at the request of Committee member Senator Charles Sydnor.

Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. Our offices serve residents in each of Maryland's 24 jurisdictions and handle a range of civil legal matters, the most prominent of which is housing. MLA represents both low-income homeowners and renters. Our Tenant Right to Counsel Project represented tenants in over 4,600 cases in 2024. Maryland Legal Aid asks that this Committee report **unfavorably** on SB 556.

SB 556 intends to deter "squatting" by creating a new criminal penalties and extrajudicial removal procedures. Importantly, legislators need to know that Maryland law already provides an eviction process for so-called squatters – the Wrongful Detainer action under Real Property § 14-132. MLA strongly opposes this bill because:

- it would criminalize people and families who may have been fraudulently induced into moving into a property under an unauthorized lease agreement, and revictimize these households via sudden eviction without due process; and
- it would criminalize actual renters, who are accused of squatting, and deprive them of the right to be meaningfully heard in a Wrongful Detainer proceeding in which they could demonstrate their lawful right of possession.

SB 556 operates as follows:

1. A property owner submits an affidavit under penalty of perjury and additional supporting evidence of ownership to the Sheriff. The affidavit would assert that:
 - a. The occupant is not authorized or unlawfully entered and remained on the property.
 - b. The property was not open to the public when the occupation began.
 - c. The owner demanded the occupant to vacate.
 - d. The occupant is not a current or former tenant with the owner.

-
- e. The owner and occupant are not currently in pending litigation.
 2. The Sheriff then “verifies” the affiant’s ownership of the property.
 3. Next, the Sheriff “without delay” serves notice, by posting or hand delivery, that instructs the occupants in the property to vacate immediately and restore possession to the owner.
 4. The Sheriff also will attempt to identify the occupants and arrest them for trespass, outstanding warrants, or any other cause.
 5. The Sheriff, on the owner’s request, remains “stand[ing] by” at the property as the owner changes the locks and removes all personal possessions from the property.

The bill does not provide any process to allow the occupant to contest the allegations made against them prior to eviction from the property.

Because SB 556 affords no meaningful notice to the occupants nor any meaningful opportunity to be heard, it invites the unconstitutional violation of the rights of actual renters who have no judicial forum in which to prove their lawful possession before eviction occurs. In the last year alone, Maryland Legal Aid represented 143 households in wrongful detainer actions in pursuant to our implementation of the Access to Counsel in Evictions law. Notably, these households were covered by the law because they were in fact not “squatters” but lawful renters. Under current law, that would be wholly unwound by SB 556, these families had meaningful notice and an opportunity to be heard in court.

Unlike other “Stop Squatter” bills before this Committee, SB 556 attempts to address abuse of its extrajudicial process by allowing the occupant to bring suit for wrongful eviction. This remedy is not preventative and would ultimately prove illusory because it limits relief to actual damages and liquidated damages capped at the equivalent of three times the rent, and because it shields the Sheriff from any liability.

SB 556 ignores the fact that “squatters” may be victims of fraud.

SB 556 is one of many “Stop Squatters” bills introduced during this legislative session that seek to either skip or fast-forward the courts’ eviction process by allowing law enforcement officers to immediately carry out evictions without a court order based only on a property owner’s affidavit.

As with other bills before the Committee, SB 556 suffers from disregard for low-income renters who may be accused of “squatting.” For instance, in a recent case at MLA, our client and her three family members had moved into rooms in what appeared to be an owner-occupied property rented out by a couple she knew as the Wallaces. Though there was no written lease, our clients paid \$400 monthly to the Wallaces for over a year. Then, in November 2024, the Wallaces disappeared without notice. In short order, our clients were summoned to court

in a Wrongful Detainer action by a Limited Liability Company, which claimed ownership and further claimed that it had no relationship with either the Wallaces or our clients. In the court case, it became evident that our client had been defrauded by two people who were not the owners, had no authority to lease out the property, and had likely taken possession of the property unlawfully. The district court awarded possession to the Limited Liability Company, and the sheriff carried out the eviction in freezing conditions on January 15. Our client's terrible situation would have been even more traumatizing under SB 556 because they would have had no time prepare for moving and no time to come to any understanding of the fraud perpetrated against them.

Absent from SB 556 is any recognition that the person possessing or claiming a right to possess the property may have signed a lease agreement and paid rent and a security deposit to a person who held themselves out to be the property owner or an agent of the owner. This erstwhile renter has no idea that they may lack a right of possession. They may have no copy of the signed lease, no contact information to trace the identity or location of the person who had held themselves out as owner or agent. Because it is common throughout Maryland rental markets for ownership identity to be hidden behind corporate names or obscured by delays in title transfers, and for property agents to act without a license or documentation of any agency authority, this erstwhile renter may not trust or believe any new face who shows up at the doorstep claiming to be the actual owner, realtor, property manager, etc.

SB 556 establishes criminal penalties for anyone who (1) presents a false deed, lease, or instrument of conveyance; (2) leases property one does not own or is not authorized to lease; or (3) advertises property for sale knowing the purported seller is not the lawful owner. Yet, these measures do nothing to support the unknowing victims of fraud who will find themselves immediately evicted by the sheriff.

SB 556 does not holistically address the “squatter” problem.

Instead of victimizing Maryland residents caught up in scams or falsely accused of squatting, the General Assembly should consider solutions that reach the root causes of fraud in the rental housing market. Holistic legislation could:

- Create a central, searchable, readily accessible rental property registry, so that renters can know who they are dealing with and whether that person is authorized to act on behalf of the actual owner of the property.
- Require the licensing of all rental property operators and managers, and require the listing of the properties they manage in the above look-up tool.
- Require written leases for all tenancies. State law and several local codes require only owners of five or more units to use written leases.

-
- Create lease registries in local housing agencies by which renters can register their tenancy information. The agency could then cross-reference that information with existing rental licensing information such as owner and operator identity information.
 - Establish a victim assistance fund specific to the relocation needs of residents who face eviction due to leasing scams.

Creative solutions to address consumer protection gaps in the rental market will raise all ships. SB 556 does nothing to address these gaps.

SB 556 creates more problems than it solves.

MLA cautions the Committee against allowing the fear of “squatting” to weaken existing summary ejectment procedures and tenant protections at a time of rising public interest in expanding those protections. SB 556 is part of a trojan-horse strategy that leverages serious, though relatively rare, property disputes to introduce a statutory end-run around the court system. The National Housing Law Project’s analysis of “squatter” bills around the country succinctly describes this end-run:

Merely being accused of squatting can result in a law enforcement officer appearing at one’s door and demanding proof of lawful occupancy. Some of these confrontations are bound to end in improper evictions and displacements when tenants do not present satisfactory proof, or when police disregard perfectly sufficient documents. Other cases may end in violence or other bad outcomes independent of housing concerns. And the mere prospect of such police encounters empowers abusive landlords to intimidate tenants apprehensive about law enforcement interaction.

Maryland Legal Aid urges the Committee to issue a UNFAVORABLE report on Senate Bill 556.

If you have any questions, please contact:

Zafar Shah,
Advocacy Director for Human Right to Housing
zshah@mdlab.org | (443) 202-4478

Joseph Loveless, Staff Attorney
jloveless@mdlab.org | (410) 925-8572

SB 556_MD Center on Economic Policy_UNF.pdf

Uploaded by: Kali Schumitz

Position: UNF

FEBRUARY 6, 2026

Court Review is Essential to a Fair and Safe Eviction Process

Position Statement Opposing Senate Bill 556

Given before the Judicial Proceedings Committee

SB 556 creates significant risks to Maryland families and communities by allowing landlords to request eviction without judicial oversight. Adopting this legislation would exacerbate homelessness, increase predatory evictions, and disproportionately harm Black and Brown Marylanders. This legislation strips tenants of their constitutional rights, emboldens predatory landlords, and creates a dangerous precedent where law enforcement officers act as both judge and jury in eviction proceedings—without court oversight. **The Maryland Center on Economic Policy opposes Senate Bill 556 because it will increase homelessness and the potential for violent encounters with law enforcement in our communities.**

MDCEP is committed to advancing policy solutions that create a more equitable Maryland, where all residents—regardless of race, income, or background—have the opportunity to thrive. We work to dismantle systemic barriers to economic prosperity and ensure that policies prioritize those who have been historically marginalized, particularly Black and Brown communities who bear the brunt of economic and housing instability. SB 556 runs counter to these values by exacerbating racial inequities and placing Maryland's most vulnerable residents at even greater risk.

SB 556 undermines fundamental due process protections by allowing landlords to request evictions without any judicial oversight. Under this bill, an individual merely claiming to be a property owner could submit a written request to law enforcement, leading to the immediate displacement of tenants—many of whom are legitimate renters. This lack of oversight will empower predatory landlords to target tenants who report unsafe conditions, further worsening Maryland's housing crisis.

We are deeply concerned about the following:

- 1. Escalation of Homelessness**

Studies show that up to 25% of evicted families become homeless. Those who fall victim to rental scams are particularly vulnerable, as they often have fewer resources to secure alternative housing. Maryland's history of housing discrimination has already left Black and Brown families disproportionately at risk of eviction, and SB 556 would only worsen this crisis. During the COVID-19 pandemic, 73% of Maryland households that received eviction prevention funds were Black, and 71% were woman-led households. This bill would place these families in an even more precarious situation.

- 2. Increased Risk of Violent Encounters with Law Enforcement**

Evictions are already fraught with tension, and removing the court's role will only increase the likelihood

of dangerous confrontations between tenants, landlords, and law enforcement. The eviction court process exists to ensure due process and reduce conflict. By circumventing this system, SB 556 increases the risk of violence, particularly against Black and Brown tenants who are disproportionately criminalized in housing disputes.

3. **Expanding the Reach of Rental Scams**

Rental fraud is a growing crisis, costing renters an estimated \$16.1 billion annually. A 2022 survey found that 44% of renters have either personally experienced or know someone who has fallen victim to a rental scam. SB 556 provides no safeguards for tenants who may have unknowingly entered into fraudulent leases, allowing scammers and bad-faith landlords to exploit legal loopholes. Maryland should focus on addressing rental fraud through stronger consumer protections, not through policies that accelerate homelessness.

4. **Aligning Maryland with Harmful National Trends**

SB 556 is modeled after legislation promoted by the American Legislative Exchange Council (ALEC) and has already been enacted in states like Alabama, Tennessee, Florida, Georgia, and West Virginia. These laws have led to increased evictions, rising homelessness, and greater financial instability for vulnerable residents. Maryland should reject this harmful policy and instead focus on evidence-based solutions that promote housing security and economic stability.

Rather than rushing to implement SB 556, Maryland should conduct a thorough study on the state's wrongful detainer process to determine the best path forward. Questions that must be answered include:

- What is the actual timeline for wrongful detainer cases from filing to eviction?
- How can law enforcement and courts better protect residents from wrongful evictions while ensuring property owners' rights are upheld?
- What technological and procedural improvements can be implemented to reduce fraudulent leasing practices?

Maryland must not follow the path of states that have chosen to prioritize property owners over the constitutional rights of tenants. Instead, we should work together to craft policies that protect renters, prevent homelessness, and uphold the principles of fairness and justice for all. **The Maryland Center on Economic Policy urges this Committee to reject SB 556 and instead support policies that ensure fair, just, and equitable housing for all Marylanders.**

Equity Impact Analysis: Senate Bill 556

Bill Summary

SB 556 would empower property owners to evict residents without court process and effectively make the Sheriff the judge and jury in every case.

Background

Many tenants and residents with the right to reside at the property will be evicted by predatory owners without court process. SB 556 strips residents of their constitutional right to have any eviction defense heard before a court. Instead, someone who claims to be the property owner (but may not actually be the owner) submits a written request to the sheriff for the eviction of someone who they claim is not a tenant, and the sheriff becomes the judge and jury on whether a family becomes homeless.

Rental scams are pervasive and increasing. Victims of these scams will quickly be made homeless under SB 556. A 2022 survey of renters showed that 44% of renters have personally experienced or are aware of someone who has lost money due to rental scams. The financial losses are estimated at a staggering \$16.1 billion.ⁱ Such rental scams have spiked in recent years, with the Better Business Bureau reporting a 45% increase in rental scam complaints over the past two years.ⁱⁱ In one 2018 survey, more than 5 million renters reported losing money in such scams.ⁱⁱⁱ

Equity Implications

SB 556 will have a disparate impact on Black, woman-led households. Maryland's long history of housing segregation and discriminatory policies mean that Black and Brown Marylanders are much more likely to be renters and at risk of eviction, and therefore more likely to be most in need of affordable housing and become victims of rental scams. 73% of Maryland households that obtained eviction prevention funds in the pandemic's wake identified as Black, and 71% identified as being woman-led.^{iv}

Impact

Senate Bill 556 will likely **worsen racial, health and economic equity** in Maryland.

ⁱ Rental Scams: A Crisis Demanding Tech-Driven Solutions (2024) <https://www.ziprent.com/blog/articles/rental-scams-a-crisis-demanding-tech-driven-solutions>

ⁱⁱ Rental Fraudsters Prey On Desperation in Tight Housing Market (024) <https://use.rently.com/blog/rental-fraudsters-prey-on-desperation-in-tight-housing-market/>

ⁱⁱⁱ More Than 5 Million Renters Report They Lost Money from Online Fraud (2018) <https://www.parealtors.org/blog/more-than-5-million-renters-report-they-have-lost-money-from-online-fraud/>

^{iv} MEPFA Information Flyer (2024) https://mdeconomy.org/wp-content/uploads/MEPFA-EPF-Policy-Analysis_v3.pdf

SB 556 - WD - Written Testimony UNF - SENATE.pdf

Uploaded by: Katherine Davis

Position: UNF



**SB 556 - Real Property – Fraudulent Possession and Unauthorized Lease or Listing – Prohibition and Removal
Hearing before the Senate Judicial Proceedings Committee**

Feb. 6, 2025

POSITION: UNFAVORABLE

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide thought leader and clearinghouse for pro bono civil legal services in Maryland. As the designated pro bono arm of the MSBA, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar and offers direct legal services to over 6,200 clients annually.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the **Tenant Volunteer Lawyer of the Day (TVLD) Program** in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented for their proceedings. Since then, this continually expanding Program has allowed PBRC staff and volunteer attorneys to represent thousands of low-income tenants in both Baltimore City and Baltimore County in multiple types of legal actions that could result in eviction.

While we sympathize with the situation that SB 556 is attempting to remedy, PBRC strongly opposes SB 556. It is unnecessary and will negatively impact our most vulnerable clients. The expedited procedure for regaining possession and potential criminal charges contained in SB 556 could be used to evict individuals from their homes without any judicial oversight and will further the criminalization of poverty by subjecting Maryland’s most vulnerable individuals to criminal charges against which they have no means to defend themselves.

Under Maryland law the rightful owner of a property can regain possession from an individual who is fraudulently claiming a right to possess the property by filing a “wrongful detainer” action under Real Property Code § 41-132. This law sets forth an expedited process for a residential property owner to regain possession while also providing the individual who is removed with a measure of due process that would be missing in any action brought under SB 556 – due process that is not only humane but constitutionally required prior to depriving an individual of their home.

SB 556 is part of a national, right-wing movement to strip residents of constitutional rights and embolden property owners at all costs. It mirrors model legislation from American Legislative Exchange Council (ALEC), which has successfully passed in states such as Alabama, Tennessee, and West Virginia. Maryland should not join these states in passing legislation that will increase homelessness and the potential for violent law enforcement encounters.

PBRC attorneys have encountered numerous individuals who believed in good faith that they were renting from a legitimate landlord, only to find that they have been victimized by a scammer. The scam involves someone posing as the owner of a property, drafting a lease and collecting rent as a legitimate landlord would. Once the scam is discovered, the “renter” in this situation typically has no legal defense allowing them to remain in the property and cannot recover any “rent” paid. Under the procedure set forth in SB 556, they would also be in danger of being confronted by a law enforcement officer with no prior notice and required to produce evidence of a legitimate lease or be evicted immediately. **Eviction is a very serious matter, and our laws must provide for due process when it is a possibility.**

For the above reasons,

PBRC urges an UNFAVORABLE report on SB 554.

Please contact Katie Davis, Director of PBRC’s Courtroom Advocacy Project, with any questions.

kdavis@probonomd.org • 443-703-3049

SB 556_Consumer Protection Division_Unfavorable_FI

Uploaded by: Kira Wilpone-Welborn

Position: UNF

CAROLYN A. QUATTROCKI
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**STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL**

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Chief Operating Officer

KIRA WILPONE-WELBORN
Assistant Attorney General

February 4, 2025

To: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

From: Kira Wilpone-Welborn, Assistant Attorney General
Consumer Protection Division

Re: Senate Bill 556 – Real Property - Fraudulent Possession and Unauthorized Lease or
Listing - Prohibition and Removal (OPPOSE)

The Consumer Protection Division of the Office of the Attorney General (the “Division”) opposes Senate Bill 556 sponsored by Senator Justin Ready. Senate Bill 556 seeks to address squatting by creating an end-run around the wrongful detainer process already provided in law to remove unlawful occupants. Specifically, Senate Bill 556 would create an extra-judicial eviction process that could unconstitutionally deprive occupants of their property without the due process protections guaranteed by the 14th Amendment. For the following reasons, the Division opposes Senate Bill 556 and requests the Judicial Proceedings Committee issue an unfavorable report.

First, the extra-judicial eviction created by Senate Bill 556 lacks the constitutionally required notice and opportunity to be heard. *See Todman v. Mayor and City Council of Baltimore*, 104 F. 4th 479, 488 (2024)(“The essence of due process is the requirement that ‘a person in jeopardy of serious loss [be given] notice of the case against him and opportunity to meet it.’”). While Senate Bill 556 requires the sheriff to serve a notice to the occupant, the sheriff is then instructed to immediately eject the occupant and return possession to the owner. An occupant being handed a notice, then being escorted from the home, is not receiving notice but simply the illusion of notice. *See id.* (“Notice must be reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.”). More troubling, the occupant has no opportunity to be heard. Indeed, the sheriff is under no obligation to assess whether the occupant is in lawful possession or not; and is instead provided full immunity from any harm that comes to the unlawfully displaced occupants and their

property. The unexpected and unexplained appearance of the sheriff foisting a notice to immediately vacate is neither notice nor opportunity to be heard demanded by the Constitution.

Second, Senate Bill 556's lack of process could promote unfair, abusive, and deceptive trade practices that would substantially harm Maryland consumers. Indeed, the process created by the bill could ensnarl lawful occupants including homeowners whose property was sold at tax sale, and legal tenants with an oral lease agreement or with a written agreement withheld by the landlord. Lawful occupants of property entangled by a false request from a bad faith owner could find themselves out of their homes without any of their personal possessions or ability to contest the ejectment. Although Senate Bill 556 provides unlawfully ejected occupants a private right of action against the owner, the remedies are insufficient for the harm caused by the unconstitutional ejectment.

For these reasons, the Division urges the Judicial Proceedings Committee to issue an unfavorable report.

Cc: The Honorable Justin Ready
Members, Judicial Proceedings Committee

SB 556 real prop fraud possession MOPD Oppose.pdf

Uploaded by: Kirsten Downs

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: Senate Bill 556 - Real Property – Fraudulent Possession and Unauthorized Lease or Listing – Prohibition and Removal

FROM: Maryland Office of the Public Defender

POSITION: UNFAVORABLE

DATE: January 21, 2025

The Maryland Office of the Public Defender respectfully requests that the Committee issue an unfavorable report on Senate Bill 556.

Overview of Senate Bill 556

Senate Bill 556 addresses fraudulent activity related to the sale, lease, or possession of residential property. The bill criminalizes various activities, including the intentional fraudulent sale or lease of property, possession of counterfeit deeds or leases, and the fraudulent possession of residential real property. Penalties for violations include fines and imprisonment, with enhanced penalties for repeat offenders.

While Senate Bill 556 aims to combat property-related fraud, it risks disproportionately impacting marginalized renters—many of whom are victims of rental scams. Additionally, by introducing criminal penalties, the bill compounds existing systemic inequities, particularly for racial minorities and low-income communities that are already disproportionately affected by criminal records and housing instability. While, in part, the bill is intended to speed up the process of reclaiming properties, it raises significant concerns about due process and the potential for unjust outcomes, especially for vulnerable populations.

Penalizing Residents Without Legal Safeguards

Senate Bill 556 proposes removing occupants who lack lawful possession; however, many of these individuals are victims of housing scams, unknowingly occupying properties under false leases. Additionally, the bill does not address these victims' significant financial devastation, such as losing deposits or prepaid rent to scammers. Furthermore, it leaves vulnerable renters, particularly those from low-income and communities of color, without access to legal assistance or representation, which exacerbates their already challenging situations.

Potential Impact of Criminalizing Housing Violations

Introducing criminal penalties for housing violations, as proposed in Senate Bill 556, can have adverse effects on low-income renters and families, both in the short and long term:

Immediate Consequences: The expedited eviction process poses a significant risk of wrongful eviction, as it may lead to the removal of tenants who hold legitimate leases or have been misled without giving them sufficient opportunity to present their case. Additionally, sudden evictions can result in residents losing access to their personal belongings, which not only compounds their financial troubles but also leads to emotional distress.

Long-Term Consequences: Individuals affected by criminal records often encounter difficulties in accessing housing and employment, which can result in ongoing cycles of poverty and instability. This is particularly true for Black communities. The ACLU of Maryland has reported that criminal penalties linked to housing laws disproportionately affect Black renters, worsening their financial and housing stability.¹ The increasing occurrence of housing scams poses a threat of criminal charges, further deterring people from pursuing rental options. This discouragement not only exacerbates housing insecurity but also contributes to a rise in homelessness.

The Lack of Judicial Oversight Before Occupant Removal

Senate Bill 556 mandates that the sheriff's office or law enforcement makes a legal determination regarding the legality of occupancy without judicial oversight, which raises significant concerns about due process and fair enforcement.² Law enforcement officers lack the training to evaluate the validity of complex legal claims, such as the authenticity of leases or the intricacies of property law, which are usually resolved in court.^{3 4} This practice poses a serious risk of wrongful removals, disproportionately impacting vulnerable populations - many of whom may face significant challenges in proving lawful possession. By circumventing judicial oversight, these actions erode the fairness of the legal process and bypass the essential checks and balances that courts provide to safeguard the rights of all parties. Additionally, residents subjected to unjust or unlawful removals are left without access to legal remedies, leaving them defenseless against wrongful eviction.

Collateral Consequences of Immediate Removal of Occupants

Removing tenants without providing adequate time to secure alternative housing or manage their belongings can lead to several significant consequences:

- *Increased Risk of Homelessness:* Immediate eviction leaves tenants with limited options, often resulting in temporary shelter use or homelessness. This abrupt displacement disrupts lives and can exacerbate existing vulnerabilities

¹ ACLU Maryland. Criminalizing Poverty: How Evictions and Fines Trap Black Communities. Baltimore, MD: ACLU Maryland, 2023

² Urban Institute. The Risks of Eviction Without Judicial Oversight. Washington, D.C.: Urban Institute, 2023.

³ People's Law Library of Maryland. "Evictions and the Role of Law Enforcement." Accessed January 17, 2025. <https://peoples-law.org>

⁴ American Bar Association. Judicial Oversight and Due Process in Eviction Cases. Washington, D.C.: ABA Publishing, 2023

- *Loss of Personal Belongings:* Without sufficient time, tenants may be unable to retrieve or arrange storage for their possessions. This can lead to the loss of essential items, further compounding the trauma of eviction.
- *Emotional and Psychological Distress:* The sudden upheaval associated with immediate eviction can cause significant stress, anxiety, and other mental health challenges, impacting overall well-being.
- *Negative Impact on Employment and Education:* Displacement can disrupt employment due to relocation challenges and affect children's education, leading to broader socioeconomic instability.

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- *Loss of Personal Belongings:* Without sufficient time, tenants may be unable to retrieve or arrange storage for their possessions. This can lead to the loss of essential items, further compounding the trauma of eviction.
- *Emotional and Psychological Distress:* The sudden upheaval associated with immediate eviction can cause significant stress, anxiety, and other mental health challenges, impacting overall well-being.
- *Negative Impact on Employment and Education:* Displacement can disrupt employment due to relocation challenges and affect children's education, leading to broader socioeconomic instability.
- *Legal and Financial Repercussions:* Evictions can appear on a tenant's record, making it difficult to secure future housing and potentially affecting credit scores, which can have long-term financial implications.

Providing tenants with adequate notice and time to secure alternative housing and manage their belongings is crucial to mitigate these adverse outcomes and promote fair housing practices.

Collateral Racial Disparities Created by Senate Bill 556

The impact of housing challenges on racial minorities is both profound and alarming. In Maryland, Black and Latino renters, already grappling with significant income disparities, find themselves more vulnerable to scams as they often rely on informal networks or unverified platforms for housing.⁵ This economic vulnerability is exacerbated by systemic barriers rooted in historical redlining and housing discrimination, which have disproportionately affected these communities, making them

⁵ Maryland Center on Economic Policy. Racial Disparities in Housing and Wealth in Maryland. Annapolis, MD: Maryland Center on Economic Policy, 2024.

heavily reliant on rental housing and more susceptible to fraud and displacement.^{6 7} Moreover, the threat of increased housing instability looms large, as marginalized communities—already at a heightened risk of eviction—may face devastating displacement under proposed legislation like Senate Bill 556, lacking the time resources to find alternative housing after removal by the Sheriff's Office. Furthermore, data reveals that policies incorporating criminal elements related to housing violations often lead to higher eviction rates among minority and low-income populations. This is exacerbated by the economic disparities faced by Black families, who are more vulnerable to the negative consequences of expedited eviction processes and criminal penalties, making them particularly susceptible to these new challenges.^{8 9}

Existing Legal Protections for Property Owners

Maryland's current legal framework provides property owners with civil remedies to address unauthorized occupancy through wrongful detainer actions. Under Maryland Real Property Code §14-132, a wrongful detainer is defined as holding possession of real property without the right of possession.¹⁰ Property owners can file a complaint in the District Court of the county where the property is located. The court then issues a summons requiring the occupant to appear and show cause why possession should not be restored to the owner. If the court finds in favor of the property owner, it orders the sheriff to return possession to the complainant. Maryland's current wrongful detainer laws are sufficient to protect property owners who encounter illegal residents on their property because they provide a clear, civil legal process for owners to regain possession.¹¹ This ensures due process for both the owner and the occupant, balancing the need for property owners to reclaim their property with protections against wrongful eviction.¹² The existing framework effectively addresses such disputes without imposing criminal penalties or exacerbating housing inequities.¹³

Senate Bill 556 aims to help property owners reclaim their properties more efficiently, but it raises serious concerns about due process:

- **Overcriminalization:** The bill introduces criminal penalties for issues that could be handled through civil solutions. This can place an unnecessary load on the criminal legal system and turn administrative matters into criminal offenses.

⁶ Urban Institute. *The Legacy of Redlining: Housing Discrimination and Systemic Inequities*. Washington, D.C.: Urban Institute, 2023.

⁷ National Low Income Housing Coalition. *Out of Reach: The High Cost of Housing in America*. Washington, D.C.: NLIHC, 2024. <https://nlihc.org>.

⁸ Legal Aid Bureau of Maryland. *The Racial Impact of Evictions in Maryland*. Baltimore, MD: Maryland Legal Aid, 2024.

⁹ Maryland Center on Economic Policy. *Racial Disparities in Housing and Wealth in Maryland*. Annapolis, MD: Maryland Center on Economic Policy, 2024

¹⁰ Maryland Real Property Code §14-132. "Wrongful Detainer Actions." Accessed January 17, 2025. <https://mgaleg.maryland.gov>.

¹¹ Maryland District Court. *Landlord and Tenant Cases: A Procedural Guide for Property Owners*. Annapolis, MD: Maryland Judiciary, 2024

¹² Maryland Legal Aid. *Tenant Rights and Responsibilities in Maryland*. Baltimore, MD: Legal Aid Bureau of Maryland, 2024

¹³ Maryland Center on Economic Policy. *Balancing Property Rights and Housing Equity in Maryland*. Annapolis, MD: Maryland Center on Economic Policy, 2024

- **Disproportionate Consequences:** Criminal penalties can have lasting impacts, such as creating a criminal record. This affects an individual's chances of getting jobs, housing, or education, even for minor offenses.
- **Risk of Misapplication:** New laws with criminal penalties can be vague or broad, leading to unfair enforcement and wrongful convictions.

Senate Bill 556 imposes criminal penalties without addressing the real issue: the growing need for housing. Its focus on criminal penalties worsens existing inequalities, especially for communities of color and low-income renters. We must protect the rights of property owners while also safeguarding tenants' protections, ensuring that legal actions do not worsen inequalities or increase housing instability.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on Senate Bill 556

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

Authored by: Kirsten Gettys Downs
Director of Systemic Reform
Maryland Office of the Public Defender
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CLS Opposition to SB0556 - Eviction wo Court Order

Uploaded by: Lisa Sarro

Position: UNF

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SB0556 – Real Property – Fraudulent Possession and Unauthorized Lease or Listing – Prohibition and Removal

Hearing Before the Judicial Proceedings Committee February 6, 2025

Position: OPPOSED/UNFAVORABLE

To the Honorable Members of the Judicial Proceedings Committee:

Community Legal Services (CLS) appreciates the opportunity to share the reasons for our strong opposition to Senate Bill 0556. CLS provides free legal services to support and advocate for the rights and well-being of Maryland's most under-served communities. Our practice includes representation of victims of domestic violence and parties to contentious family law matters, often where there is an extreme power and financial imbalance.

SB 556 eliminates critical court oversight in eviction proceedings. This could easily result in the perpetuation of domestic abuse and circumvention of the family law process to evict households *lawfully* in possession of properties that are not titled in their names under court orders, such as protective orders or family law rulings granting use and possession of a home.

SB0556 Endangers Domestic Violence Survivors and Family Law Litigants

Domestic violence survivors frequently remain in the home they shared with their abuser as part of a protective order or a family court order awarding them use and possession of the home, even when they are not on the title or lease. These legal protections are lifesaving for survivors who need stability to rebuild their lives, keep their children safe, and avoid further harm from an abuser.

This is not hyperbole. Our office has a large and busy housing practice. We have lawyers in courts daily providing same day and extended representation for tenants in eviction actions, including unlawful detainers. We have experienced many more instances than one might expect where unlawful detainer actions were filed by owners on title to property hoping to circumvent ongoing protective and family law orders in an effort to evict their now-former spouse or intimate partner. In those cases, the current court process mandates court oversight, so judges can assess the situation and the parties' legal rights to ensure wrongful evictions do not occur. Under this bill, no such protection is provided.

By removing judicial oversight from the eviction process, SB 556 allows landlords, property owners, and even abusers or their family members to bypass the legal system and forcibly remove survivors from their homes. Because there is no requirement for actual notice of eviction dates in Maryland, survivors who have fought for and obtained a court order ensuring their safety could find themselves locked out, their belongings discarded, and their abuser reclaiming the home, all without any opportunity to assert their legal rights before a judge.

Law Enforcement Officers Are Not Equipped to Determine Lawful Possession, Nor Should They Be Required to Do So.

Without significant and ongoing training, law enforcement officers will not have the legal expertise necessary to determine whether an eviction is lawful, leading to wrongful evictions, including evictions that violate existing court orders. If deputies and constables are to be the final arbiters of whether an eviction is lawful, they must be extensively trained on:

- How to determine legal title to property versus lawful possession under court orders;
- How to determine in advance if there is a protective order or family law order in place related to the subject property;
- How to interpret protective orders and family law rulings that grant someone the right to remain in a home even if they are not on the title;
- How to assess valid claims of domestic violence and coercion to ensure that survivors are not being unlawfully removed from their homes by abusive partners or landlords acting in concert with abusers.

SB 556 Puts the Most Vulnerable at Risk of Losing Everything

A significant number of evictions occur when the person in possession is not home. If the only mechanism to prevent an illegal eviction under SB 556 is for the resident to be physically present to object and provide proof of their right to remain, then countless

individuals - especially working parents with children at daycare or in school and domestic violence survivors fearing for their safety if made to physically be present to object to their removal - will lose their homes without ever having a chance to defend themselves and their right to remain in the property.

This means that survivors who have finally secured stability and safety after escaping abuse could return home to find their locks changed and their belongings thrown to the curb. The irreparable harm caused by such wrongful evictions cannot be overstated. Survivors will be left homeless, lose irreplaceable personal property, and, in many cases, be forced back into dangerous situations with their abuser.

Conclusion

SB 556 is deeply flawed and dangerous for Maryland's most vulnerable residents. Eliminating judicial oversight in evictions will expose domestic violence survivors and family law litigants and their children to wrongful eviction, homelessness, and further violence.

For these reasons and more, **we urge the Committee to reject SB 556** and ensure that Maryland's eviction process remains fair, just, and protective of those who rely on the law for safety and stability. Please feel free to reach out to Jessica Quincosa, Executive Director, or Lisa Sarro, Community Legal Services Director of Litigation and Advocacy, with any questions at quincosa@clspgc.org and sarro@clspgc.org, respectively.

SB556 Criminal Trespass Wrongful Detainer PJC UNF

Uploaded by: Matt Hill

Position: UNF



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SB 556: Real Property – Fraudulent Possession and Unauthorized Lease or Listing – Prohibition and Removal
Hearing before the Senate Judicial Proceedings Committee on February 6, 2025

Position: OPPOSE (UNF)

The Public Justice Center (PJC) is a part of Renters United Maryland, which strongly opposes SB 556 because it will increase homelessness and the potential for violent encounters with law enforcement in our communities. We have seen too many tenants and other residents victimized by scams and predatory property owners. SB 556 will empower those predatory property owners to *evict residents without court process* and *make the Sheriff the judge and jury* in every case. We strongly oppose this assault on our communities.

A recent Public Justice Center client demonstrates the unconstitutional denial of due process, homelessness, and potential for violence that SB 556 would wreak. Our client and 6 other elderly or disabled tenants had been living in a home in Baltimore City for years, paying rent each month. A new owner purchased the property and even though he knew that there were seven elderly or disabled tenants in the home, he decided that he did not want to maintain the property and filed a complaint for Wrongful Detainer. The new owner thought that since he hadn't signed a lease, the residents were not tenants, which is completely wrong. Our clients never received notice of a court date, and didn't even know about the case until they received an eviction notice. We filed an emergency motion to stay the eviction with the court which was granted on the day that the eviction was supposed to take place. The parties subsequently settled. **If SB 556 were enacted, this new owner would only need to claim that the renters were not authorized to live in the home, and then the Sheriff would be required to evict them without any court process.**

Landlords already have a process for removal of unwanted occupants: Wrongful detainer, and even that process is riddled with errors. We have seen far too many clients who have been victims of scams, predatory landlords, and owner-management disputes. For example, some of our clients find a home online, are taken on a tour of the property, sign a lease, pay a security deposit and first month's rent, and are given keys to the property. Two weeks later they hear a knock on the door and are told that the rightful owner of the property did not authorize leasing the property. In another variation on this scheme, we have found instances in which a property management company claimed that they had the right to lease the property, but the owner disagreed. The tenant-resident is caught in the middle. Still in other cases, we have seen some unscrupulous landlords enter into a verbal agreement to lease and take the tenant's money, but after the tenant enters the property and starts to complain about

serious and substantial defects, the unscrupulous owner claims that there was never a landlord-tenant relationship.

Predatory landlords will abuse this process to evict tenants who complain about unsafe conditions. And landlords who threaten to report tenants as squatters will prompt plenty of tenants to vacate – even if that means homelessness – for fear of having the police called to their residences.

Rental scams are pervasive and increasing. Victims of these scams will quickly be made homeless under SB 556. A [2022 survey of renters showed that 44% of renters have personally experienced or are aware of someone who has lost money due to rental scams. The financial losses are estimated at a staggering \\$16.1 billion.](#) Such rental scams have spiked in recent years, with [the Better Business Bureau reporting a 45% increase in rental scam complaints over the past two years.](#) In one 2018 survey, [more than 5 million renters reported losing money in such scams.](#)

[Up to 25% of families who are evicted become homeless.](#) Becoming homeless is even more likely for residents evicted after a rental scam because those residents are often the most desperate for affordable housing. [Homelessness has a devastating impact, leading to negative education outcomes for children, increased foster care, job loss, and poor health outcomes.](#)

SB 556 will increase violent confrontations with law enforcement. [Eviction court processes were created to reduce the violence inherent in self-help evictions.](#) By removing any opportunity for a renter to make a defense in court, SB 556 will increase potentially violent confrontations among law enforcement, renters, and property owners.

SB 556 will have a disparate impact on Black, woman-led households. Maryland's long history of housing segregation and discriminatory policies mean that Black and Brown Marylanders are much more likely to be renters and at risk of eviction, and therefore more likely to be most in need of affordable housing and victims of rental scams. [73% of MD households that obtained eviction prevention funds in the pandemic's wake identified as Black, and 71% identified as being woman-led.](#)

SB 556 is part of a national, right-wing movement to strip residents of constitutional rights and embolden property owners at all costs. [SB 556 mirrors model legislation from American Legislative Exchange Council \(ALEC\), which has successfully passed in states such as Alabama, Tennessee, Florida, Georgia, and West Virginia.](#) Maryland should not join these states in passing legislation that will increase homelessness and the potential for violent law enforcement encounters.

Owners must adopt new processes and technologies to secure their units. Rental scammers are becoming more sophisticated, and [property owners of vacant units must keep up by using smart locks, security cameras, video doorbells, motion sensors, and smart lighting,](#) which allow for remote monitoring and access control, providing real-time alerts about potential security threats.

There is no data to support this bill. The General Assembly should conduct a summer study of ways to improve Wrongful Detainer. This Committee is operating in a total absence of data related to Wrongful Detainer and the prevalence of squatting. How long does it take for a wrongful detainer complaint to be heard in court? How long from judgment to eviction? What best practices could sheriffs and courts adopt in wrongful detainer cases? Can Maryland revise the Wrongful Detainer process to address legitimate concerns while preserving due process for unsuspecting residents who believe that they are tenants? How can Maryland better assist victims of rental scams?

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

Public Justice Center is a member of Renters United Maryland, which strongly opposes SB 556 and urges as unfavorable report. If you have any questions, please contact C. Matthew Hill, hillm@publicjustice.org, (410) 625-9409 Ext. 229.

SB556 Wrongful Detainer Testimony.pdf

Uploaded by: Michael Lent

Position: UNF

**SB 556 - Real Property – Fraudulent Possession and Unauthorized Lease or Listing –
Prohibition and Removal
Hearing before the Senate Judicial Proceedings Committee,
Feb. 6, 2025**

Position: OPPOSED (UNF)

I, Michael Lent constituent of District 8, strongly oppose SB 556 because it will increase homelessness and the potential for violent encounters with law enforcement in our communities. We have seen too many tenants and other residents victimized by scams and predatory property owners. SB 556 will empower those predatory property owners to *evict residents without court process* and *make the Sheriff the judge and jury* in every case. I strongly oppose this assault on our communities.

Many tenants and residents with the right to reside at the property will be evicted by predatory owners without court process. SB 556 strips residents of their constitutional right to have any eviction defense heard before a court. Instead, someone who claims to be the property owner (but may not actually be the owner) submits a written request to the sheriff for the eviction of someone who they claim is not a tenant, and the sheriff becomes the judge and jury on whether a family becomes homeless.

Predatory landlords will abuse this process to evict tenants who complain about unsafe conditions. And landlords who threaten to report tenants as squatters will prompt plenty of tenants to vacate – even if that means homelessness – for fear of having the police called to their residences.

Rental scams are pervasive and increasing. Victims of these scams will quickly be made homeless under SB 556. A [2022 survey of renters showed that 44% of renters have personally experienced or are aware of someone who has lost money due to rental scams. The financial losses are estimated at a staggering \\$16.1 billion.](#) Such rental scams have spiked in recent years, with [the Better Business Bureau reporting a 45% increase in rental scam complaints over the past two years.](#) In one 2018 survey, [more than 5 million renters reported losing money in such scams.](#)

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I am urging the Senate Judicial Proceedings Committee to offer an unfavorable report on SB 556

Sincerely,
Michael Lent
District 08
2054 Creighton Ave Parkville MD 21234

FBF Testimony SB 556.pdf

Uploaded by: Nneka Nnamdi

Position: UNF



**SB0556 Real Property - Fraudulent Possession and Unauthorized Lease or Listing
- Prohibition and Removal**

Judicial Proceedings

Date: February 6, 2025

Time: 1:00pm

Position: DOES NOT SUPPORT

Fight Blight Bmore (FBB) stands firm in its mission to remediate blight through community-driven projects and programs. As an economic, environmental, and social justice organization, FBB recognizes that blight, manifested in vacant, abandoned, dilapidated, underutilized, and misutilized properties, is a product of systemic racism, including disinvestment and depopulation. These factors have significantly reduced taxable properties in historically Black neighborhoods across Baltimore. ***FBB does not support SB0556 because it will make more people vulnerable to home, equity, and neighborhood loss.***

One of the major drivers of blight in these neighborhoods has been tax sales, and FBB states that SB0556, while aimed at addressing issues related to fraudulent possession of real property, unintentionally opens the door for greater harm to some of the most vulnerable residents of these communities. Specifically, we are deeply concerned that this bill exposes victims of tax sale foreclosures to removal from their homes via non-judicial evictions.

Reasons for Our Opposition:

- **Vulnerability after Tax Sale Foreclosure:** Under the provisions of the bill, individuals—whether homeowners (or heirs) or tenants—who live in properties where the right to redeem has been foreclosed, would lose critical due process protections, continuing the cycle of displacement in already overburdened communities. The 2023 Tax Sale Ombudsman Report for Maryland revealed that at least 300 properties were foreclosed on due to tax sale, with 116 of those properties being defined as owner-occupied. Under the provisions of this bill, residents of these properties could be summarily evicted by the sheriff as “squatters,” without access to adequate due process. This is especially troubling when lien purchasers often move to evict without having formally taken title to the property, acting instead as de facto owners.

For the above reasons,

Fight Blight Bmore urges an unfavorable report.

Please contact Nneka Nnamdi, Founder, with any questions nneka@fightblightbmore.com

443.468.6041

- **Inadequate Safeguards for Residents:** The bill fails to include sufficient safeguards for residents who could be wrongfully evicted or those facing eviction under ambiguous or disputed circumstances. The law requires residents—whether tenants or homeowners who may have had a lease with the previous owner or previous owner (or heirs)—to file an affirmative claim with the court to seek relief. This poses a significant barrier to those who cannot afford legal counsel, as many lawyers are unwilling to take these types of cases on contingency due to low potential awards, and many pro bono legal services are unable to file affirmative claims.

FBB recognizes that housing providers already have legal avenues to address “squatters”, so removing the judicial process for eviction is an erosion of rights for residents. This approach resembles a return to feudalism and police overreach. Rather than passing this law, the focus should be on improving the housing court system by enhancing technology, increasing court staffing, and providing better legal education for all involved.

FBB does not support SB556, as it disproportionately places vulnerable residents at greater risk of displacement without reasonable recourse for their protection.

For the above reasons,

Fight Blight Bmore urges an unfavorable report.

Please contact Nneka Nnamdi, Founder, with any questions nneka@fightblightbmore.com

443.468.6041

SB556 UNF Written Testimony.pdf

Uploaded by: Spencer Baldacci

Position: UNF

**SB 556 - Real Property – Fraudulent Possession and Unauthorized Lease or Listing –
Prohibition and Removal**

**Hearing before the Senate Judicial Proceedings Committee,
Feb. 6, 2025**

Position: OPPOSED (UNF)

I, Spencer Baldacci, am a part of Renters United Maryland, which strongly opposes SB 556 because it will increase homelessness and the potential for violent encounters with law enforcement in our communities. We have seen too many tenants and other residents victimized by scams and predatory property owners. SB 556 will empower those predatory property owners to *evict residents without court process* and *make the Sheriff the judge and jury* in every case. We strongly oppose this assault on our communities.

Many tenants and residents with the right to reside at the property will be evicted by predatory owners without court process. SB 556 strips residents of their constitutional right to have any eviction defense heard before a court. Instead, someone who claims to be the property owner (but may not actually be the owner) submits a written request to the sheriff for the eviction of someone who they claim is not a tenant, and the sheriff becomes the judge and jury on whether a family becomes homeless.

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SB 556 will increase violent confrontations with law enforcement. [Eviction court processes were created to reduce the violence inherent in self-help evictions.](#) By removing any opportunity for a renter to make a defense in court, SB 556 will increase potentially violent confrontations among law enforcement, renters, and property owners.

SB 556 will have a disparate impact on Black, woman-led households. Maryland's long history of housing segregation and discriminatory policies mean that Black and Brown Marylanders are much more likely to be renters and at risk of eviction, and therefore more likely to be most in need of affordable housing and victims of rental scams. [73% of MD households that obtained eviction prevention funds in the pandemic's wake identified as Black, and 71% identified as being woman-led.](#)

SB 556 is part of a national, right-wing movement to strip residents of constitutional rights and embolden property owners at all costs. [SB 556 mirrors model legislation from American Legislative Exchange Council \(ALEC\), which has successfully passed in states such as Alabama, Tennessee, Florida, Georgia, and West Virginia.](#) Maryland should not join these states in passing legislation that will increase homelessness and the potential for violent law enforcement encounters.

Owners must adopt new processes and technologies to secure their units. Rental scammers are becoming more sophisticated, and [property owners of vacant units must keep up by using smart locks, security cameras, video doorbells, motion sensors, and smart lighting,](#) which allow for remote monitoring and access control, providing real-time alerts about potential security threats.

There is no data to support this bill. The General Assembly should conduct a summer study. This Committee is operating in a total absence of data related to Wrongful Detainer and the prevalence of squatting. How long does it take for a wrongful detainer complaint to be heard in court? How long from judgment to eviction? What best practices could sheriffs and courts adopt in wrongful detainer cases? Can Maryland revise the Wrongful Detainer process to address legitimate concerns while preserving due process for unsuspecting residents who believe that they are tenants? How can Maryland better assist victims of rental scams?

[_Spencer Baldacci_] is a member of Renters United Maryland, which strongly opposes SB 556 and urges as unfavorable report.

2.04 SB 556 - Real Property - Fraudulent Possessio

Uploaded by: Tonaeya Moore

Position: UNF



SB 556 - Real Property - Fraudulent Possession and Unauthorized Lease or Listing - Prohibition and Removal
Senate Judicial Proceedings Committee
February 06, 2025
OPPOSE

Chair Smith, Vice-Chair and members of the committee, thank you for the opportunity to submit testimony in respectful opposition of Senate Bill 556. This bill will increase homelessness and the potential for violent encounters with law enforcement in our communities. We have seen too many tenants and other residents victimized by scams and predatory property owners. SB 556 will empower those predatory property owners to **evict residents without court process** and **make the Sheriff the judge and jury** in every case. We strongly oppose this assault on our communities.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

Many tenants and residents with the right to reside at the property will be evicted by predatory owners without court process. SB 556 strips residents of their constitutional right to have any eviction defense heard before a court. Instead, someone who claims to be the property owner (but may not actually be the owner) submits a written request to the sheriff for the eviction of someone who they claim is not a tenant, and the sheriff becomes the judge and jury on whether a family becomes homeless.

Predatory landlords will abuse this process to evict tenants who complain about unsafe conditions. And landlords who threaten to report tenants as squatters will prompt plenty of tenants to vacate – even if that means homelessness – for fear of having the police called to their residences.

Rental scams are pervasive and increasing. Victims of these scams will quickly be made homeless under SB 556. A [2022 survey of renters showed that 44% of renters have personally experienced or are aware of someone who has lost money due to rental scams. The financial losses are estimated at a staggering \\$16.1 billion.](#) Such rental scams have spiked in recent years, with [the Better Business Bureau reporting a 45% increase in rental scam complaints over the past two years.](#) In one 2018 survey, [more than 5 million renters reported losing money in such scams.](#)

Creating Assets, Savings and Hope



Up to 25% of families who are evicted become homeless. Becoming homeless is even more likely for residents evicted after a rental scam because those residents are often the most desperate for affordable housing. Homelessness has a devastating impact, leading to negative education outcomes for children, increased foster care, job loss, and poor health outcomes.

SB 556 will increase violent confrontations with law enforcement. Eviction court processes were created to reduce the violence inherent in self-help evictions. By removing any opportunity for a renter to make a defense in court, SB 556 will increase potentially violent confrontations among law enforcement, renters, and property owners.

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The CASH Campaign of Maryland is a member of the Renters United Maryland coalition and asks that the Committee issue a report of UNFAVORABLE on SB 556.

Creating Assets, Savings and Hope