

## SB 560 – Criminal Law – Possession of Residential Real Property

Feb. 11 2025

### Position: OPPOSED

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Shore Legal Access (formerly Mid-Shore Pro Bono) strongly opposes SB 560 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 560 will remove existing tenant protections, empower predatory property owners to **evict residents merely by affidavit, and without court oversight and due process**. *This proposed legislation will also make the Sheriff the judge and jury* in certain cases. We strongly oppose this assault on our communities and on the due process rights of tenants 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 mover favorable outcomes in nearly every case. These services collectively helped tenants reduce their financial burden by over \$368,000. When given the chance to have representation, tenants are taking advantage of that option, and as a result, getting better outcomes.



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We oppose SB560 because this legislation is unnecessary and it undercuts existing protections for tenants under Maryland's Wrongful Detainer law. SB560 also burdens local sheriff's offices with administrative and adjudicative responsibilities by injecting sheriff offices into the process of deciding legal rights of citizens regarding the possession of real property. This is a role currently carried out by local District Court judges and there is no reason or data that supports changing the existing process.

We have represented several clients under Maryland's Wrongful Detainer statute and the process works when judges decide whether occupants of real property have a legal right to remain on the property. In one case, our client was scammed when she rented a house for 11 months from a person claiming to be an agent for a property owner who fraudulently signed a lease claiming to be a representative of the actual owner. The actual owner filed a Wrongful Detainer against our client and we were able to assist our client and resolve the case. If the actual owner did not have to file a Wrongful Detainer action in District Court, we may not have been contacted and our client's due process rights would have been denied to our client.

SLA strongly opposes SB 560 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](mailto:tonrod1894@gmail.com) or Meredith Girard, Executive Director at 410.690.8128 or e-mail [mgirard@shorelegal.org](mailto:mgirard@shorelegal.org)