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March 3, 2025

To: The Honorable Luke Clippinger  
Chair, Judiciary Committee

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

Re: House Bill 271 –Real Property - Expedited Wrongful Detainer Proceedings - Property for  
Sale or Lease (OPPOSE)

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The Consumer Protection Division of the Office of the Attorney General (the “Division”) opposes House Bill 271 sponsored by Delegate Jackie Addison. House Bill 271 seeks to address concerns with individuals unlawfully occupying a property (*i.e.* squatters) by expediting wrongful detainer proceedings when the owner of the property has listed the property for sale or lease.

Landlord-tenant complaints are consistently among the top complaints received each year by the Division. Although this bill seeks to remedy squatting and would appear to fall outside the landlord-tenant context, the Division is concerned that the bill could have the unintended consequence of subjecting lawful tenants to a denial of due process by unscrupulous owners and denying unauthorized occupants victimized by scammers necessary time to seek legal assistance and alternative housing. A legal tenant with an oral lease agreement, or with a written agreement withheld by the landlord, could be subject to trial within five (5) days and eviction within eight (8) days if the landlord merely lists the property for sale or lease, with or without the actual intent to transfer possession of the property. An eviction within eight days, with notice only by posting, is not sufficient time to allow a lawful tenant to seek counsel and prepare a defense. Likewise, an unauthorized occupant victimized by an unscrupulous owner would not have sufficient time to seek counsel and investigate any true ownership interest within the five days before trial. While wrongful detainer proceedings are meant to restore possession to the owner, equity interests for lawful tenants and occupants victimized by fraudsters should be balanced with the swift restoration of possession.

House Bill 271 unnecessarily expedites wrongful detainer proceedings and could impinge on the rights of occupants in these properties when an owner lists the property for sale or lease. Accordingly, the Division requests that the Judiciary Committee give House Bill 271 an unfavorable report.

cc: The Honorable Jackie Addison  
Members, Judiciary Committee