



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Date: February 5, 2025

Bill Number: HB756

Bill Title: Petition for Guardianship of the Property of Alleged Disabled Person – Stay of Civil Actions and Proceedings

Committee: House Judiciary

MDOA Position: FAVORABLE

The Department of Aging (MDOA) thanks the Chair and Committee members for the opportunity to testify in support of House Bill (HB) 756 - Petition for Guardianship of the Property of Alleged Disabled Person – Stay of Civil Actions and Proceedings.

The Maryland Department of Aging (MDOA) serves as Maryland’s State Unit of Aging, administering federal funding for core programs, overseeing the Area Agency on Aging (AAA) network at the local level that provides services, and planning for Maryland’s older adult population. Maryland’s 19 AAA’s serve as public guardians or “guardians of the person” in last resort situations for adults 65 and older where no other family member or suitable alternative guardian is available. With state funds, MDOA oversees and funds a significant portion of the AAAs’ public guardianship work. Established by Executive Order in early 2024, MDOA is amidst its Longevity-Ready Maryland Initiative

HB756 will allow petitioners for guardianship of property of an alleged disabled person (this can be anyone 18 or older) to request a stay of key civil actions or proceedings against them while the guardianship petition is pending. Older adult guardianship cases vary in terms of their circumstances, but often the older adult involved owns or rents their own home, whether they live alone or with others. Due to their overall physical and mental condition, these older adults may have fallen behind in their rent, mortgage, or property tax payments. The stay that HB756 would allow petitioners to request would provide a common-sense pause in civil actions like failure to pay rent, foreclosure, and other actions against the property of the older adult involved. This will preserve an older adult’s home, whether owned or rented during these difficult



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transition periods while the guardianship petitions are being considered by the courts. This will provide greater housing security and stronger economic protection for these older adults in these situations. The public guardianship seeks to support older adults living in their community when that is a viable option, thus preserving established homes is important.

For these reasons, the Department of Aging respectfully urges a favorable report for House Bill 756. If you have any questions, please contact Andrea Nunez, Legislative Director, at andrea.nunez@maryland.gov or (443) 414-8183.

Sincerely,

A handwritten signature in blue ink that reads "Carmel Roques". The signature is written in a cursive style with a long, sweeping tail.

Carmel Roques
Secretary
Maryland Department of Aging