



House Bill 202 – Criminal Law - Fraud - Conveyance, Lease, or Possession of Residential Real Property

Position: Support

Maryland REALTORS® supports HB 202, which addresses several fraudulent real estate activities currently taking place in Maryland.

Within the past year, REALTORS® have reported increased incidents of “squatting” in residential properties, typically those that are vacant or listed for sale or rent, but also those where an owner is temporarily away. Scammers that have no legal rights to the property illegally occupy these residences. Often, they will also produce forged leases or other documents which on initial review might indicate they have a right to occupy the residence.

When these documents are presented to law enforcement responding to the squatting situation, it can be difficult to determine who has rightful ownership. As a result, property owners are told that this is a matter for the courts, and it may be weeks or months before the property is restored to them. HB 202 provides recourse to affected property owners by allowing them to sign an affidavit asserting their rightful possession of the property. This provides a basis for law enforcement to remove illegal occupants in an expedited manner.

In addition, the bill also provides financial penalties for those illegally occupying the property as well as to those who participated in document forgery. This second provision in the bill has applications beyond just squatting. REALTORS® and title companies in Maryland have also been faced with scams targeting vacant land parcels, where individuals impersonate the rightful owners of those properties using falsified powers of attorney forms.

When property owners are victimized by fraudulent activity, it is essential that their properties are restored to them in the quickest and easiest process possible. HB 202 provides this to current and future homeowners and renters who have been victims of real estate fraud, and we ask for your favorable report.

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