



House Bill 0059

Real Property – Expedited Wrongful Detainer Proceedings – Property for Sale or Lease

Hearing in the House Economic Matters Committee

Hearing on February 26, 2026

Position: Unfavorable

Maryland Legal Aid submits its written and oral testimony on HB 59 at the request of Vice Chair Lorig Charkoudian.

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 in thousands of cases each year. Maryland Legal Aid asks that this Committee report **unfavorably** on HB 59.

HB 59 proposes to expedite the “wrongful detainer” procedure presently codified in § 14-132 of the Real Property Article. The bill, at section (J), shortens the time between the filing of a court complaint and trial to just 5 days if the plaintiff asserts that the property is currently listed or advertised for sale or lease. In that extraordinarily short window, the bill does not ensure that the defendant obtains reasonable notice of the hearing.

In 2025, this Committee amended and passed SB 46, which accomplished two reforms: (1) it expedited the wrongful detainer procedure so that trial must be set “at least 5 days but not more than 15 days” after the filing of the complaint ; and (2) it established new steps for service of process so that the expedited timeline protects the defendant’s right to be meaningfully heard. That bill, which took effect on October 1, 2025, makes clear the procedural shortcomings of HB 59 and, moreover, makes HB 59 unnecessary.

The objective of this legislation is, in our view, already accomplished, with a more balanced approach.

A meaningful opportunity to be heard still matters, even when the defendant is accused of “squatting.”

An unlawful occupancy of real property at the time of purchase may have costly ramifications. Nonetheless, constitutional due process requires that defendants in a wrongful detainer action have notice and a meaningful opportunity to be heard.

A fair hearing can reveal the truth about alleged “squatting.” For instance, one Maryland Legal Aid client moved into a rental home in Pikesville, Maryland, signing a lease with the owner and thereafter paying rent for several months. One day, a woman whom our client had never met appeared at the property, insisting that she was the owner of the property and threatening to call the police if our client did not leave. When the Baltimore County police did arrive, our client showed her copy of the lease to the officers, who then took no action other than escorting the stranger off the premises. Next, that person filed a wrongful detainer action against our client, again claiming that she was the owner and that our client had no lawful right of possession. In other words, the case alleged that our client was a squatter. In a trial proceeding, the plaintiff was unable to demonstrate that she held title to the property. In fact, during the pendency of the wrongful detainer case, the property was sold. It became apparent that the “squatter” case had been manufactured in an attempt to sell the property unencumbered by our client’s bona fide lease.

In that case, because of the trial procedures involved in the wrongful detainer case, our client vindicated her rights. Under HB 59, if the third party had filed under subsection (J), our client would not have received service of process before her trial date and would have lost the opportunity to protect herself.

For the above-stated reasons, **Maryland Legal Aid urges the Committee to issue a UNFAVORABLE report on House Bill 59.** If you have any questions, please contact:

Zafar Shah, Advocacy Director for Human Right to Housing
(443) 202-4478
zshah@mdlaborg