



SANTONI, VOCCI & ORTEGA LLC

**HB 59 - Real Property – Expedited Wrongful Detainer Proceedings – Property for Sale or Lease
Hearing of the House Economic Matters Committee on February 5, 2026**

Position: UNFAVORABLE

Dear Chair Valderamma, Vice Chair Charkoudian, and Committee Members:

Thank you for the opportunity to testify. Our organization is a member of Renters United Maryland, which opposes HB 59. While we appreciate the sponsor’s intention, we urge an unfavorable report. When questions arise about whether a renting family has the right to reside in a property, those questions must be answered fairly with notice, due process, and judicial oversight. **By contrast, HB 59 will deny renters a meaningful opportunity to be heard in certain eviction cases and lead to more evictions and homelessness.**

Santoni, Vocci & Ortega, LLC is a private tenants’ rights firm, representing tenants living in uninhabitable conditions and tenants who have been the subject of an illegal eviction. Our firm has represented tenants who were subjected to wrongful detainer actions, even though they had a legal right to be in the property. In one circumstance, the person filing the wrongful detainer did not even own the property. If the tenants had not had counsel, however, it is likely they would not have prevailed.

HB 59 will allow unlicensed landlords and property flippers to evict renting families like Madison Pleas and her young family without a fair hearing merely by calling them “squatters” when they are not.

- Madison Pleas and her young family signed a one-year lease in Baltimore City in October 2024. Within a month, they discovered serious defects, including a furnace fire. After the property went into foreclosure, the new owner (an unlicensed landlord) demanded that they vacate immediately and filed a wrongful detainer case alleging they were squatters. With legal representation and a court hearing, Madison’s family was able to assert their right to remain. Without this process they would have been evicted.
- Christina Cikins and six other elderly or disabled tenants faced eviction when a new owner (an unlicensed landlord) refused to maintain the property, claimed they were squatters and filed a wrongful detainer complaint. Without legal assistance, they would likely have become homeless. Christina said, “We have nowhere to go. Absolutely nowhere.”

The General Assembly passed legislation resolving this issue just last year. In response to concerns about alleged squatting, the General Assembly passed SB 46 in 2025 to expedite “wrongful detainer” cases. **Effective October 1, 2025, the bill** requires the court to hear any wrongful detainer claim within 10 days, making it one of the fastest judicial processes in the State. Residents accused of squatting receive minimum notice, have little opportunity to seek legal counsel, and have a very limited time to prepare a defense.

HB 59 would rush the process even further. Residents could leave town for a weekend and return to find that a court had entered an eviction judgment against them. HB 59 will:

- Require a trial be only 5 days after a complaint is filed regardless of when the residents received the complaint – if at all.

- Unconstitutionally remove the requirement that the complaint be served on the residents by first-class mail. *See Greene v. Lindsey*, 456 U.S. 444 (1982)
- Dramatically shorten the appeal period which further erodes due process.

Any time a property flipper or unlicensed landlord claims the property is for sale, they could deny the renting family access to a full and fair hearing.

Claims of a widespread squatting epidemic are not supported by evidence. Despite this, special interest groups like Sinclair-aligned media (Fox45, Balt. Sun, WJLA) and the American Legislative Exchange Council, have manufactured a narrative that lawlessness and squatting are rampant, using it to justify policies that strip residents of their constitutional rights and push “evict-first/questions later” bills — even fueling the Trump Administration’s call for National Guard deployments in cities like D.C., Chicago, Portland, and Los Angeles.

Weaponizing the “squatter” label to pass “Evict First, Ask Questions Later” laws that strip down judicial oversight over evictions will benefit property flippers, unlicensed landlords, and other bad actors, and harm the most vulnerable Marylanders. Claiming a rightful occupant is a “squatter” is also used as a tool for personal revenge. Survivors of domestic abuse and their children are particularly at risk, as well as differently abled people. No matter the context of the allegation, Black women, who are already disproportionately affected by eviction, will suffer most under an evict-first approach.

Law enforcement already has tools to address alleged squatting and the scamlords who offer fraudulent leases. Squatting is already a crime in Maryland under trespass or burglary.¹ Offering a fraudulent lease is already a crime in Maryland.² In addition to the filing of a civil case for wrongful detainer, law enforcement already has the tools it needs to effectively prosecute squatting as well as scamlords who deceive renters into leasing properties.

Evict-first laws in other states demonstrate the real-world dangers of stripping due process. In Florida, a family in Pensacola was evicted with only 15 minutes’ notice under new legislation pushed by Governor Ron DeSantis. The sheriff acted on a fraudulent owner’s claim, evicting senior residents and allowing the sale of their belongings.

The real crisis in Maryland is not “squatting,” but a shortage of 275,000 affordable rental units and the lack of basic tenant protections like good cause eviction. Maryland policymakers should focus on solutions that stabilize families: strengthening fair housing laws, expanding eviction prevention funds, supporting good cause eviction, and creating zoning and administrative policies that spur housing production.

The “Housing First” agenda demonstrates that keeping people in their homes is both humane and effective, whereas ideological evict-first/ask questions later policies put families at risk. **We urge policymakers to stand with renting families, uphold their constitutional right to allow both sides to be heard before any eviction, and reject the politics of fear.**

We oppose HB 59 and urge an **unfavorable report**.

¹ Md. Code, Crim. Law §§ 6-402, 6-403, and 6-202 et seq.

² Md. Code Ann., Crim. Law § 8-301 (theft by deception); § 8-402 (issuing false documents); § 8-601–602 (counterfeiting/false instruments); § 8-607 (uttering).