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HB 62 - Anne Arundel County – Summons for Actions to Repossess for Failure to Pay Rent – Alterations

Hearing before the House Economic Matters Committee on Feb. 5, 2026

Position: Favorable with Amendments

The Public Justice Center (PJC) is a nonprofit public interest law firm that stands with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing and their rights to fair and equal treatment by Maryland’s landlord-tenant laws, courts, and agencies. We represent or advise over 800 renter households each year, and we advocate to change laws that further a human right to housing.

Public Justice Center supports the provisions of HB 62 requiring that the Sheriff serve the eviction complaint on the renting family by posting it to the property a minimum number of days prior to trial and requiring that the trial take place 30 days after filing. In any eviction case, the defendant-renter is normally only provided notice of the case and the trial date by “nail and mail” service, i.e., the Sheriff mails the complaint and posts it to the property. This is different from “personal service,” i.e., a process server hands the complaint to the defendant or someone who lives with the defendant. Personal service is required in almost every other kind of civil court case. Because tenant-residents only get “nail and mail” service, ensuring that such service is timely, effective, and documented is essential to the constitutional due process required before the state takes away a family’s home.

In Baltimore City, where most of PJC’s clients reside, the sheriff will normally post and mail the complaint at least 9 days prior to trial. HB 62 provides for only 7 days service prior to trial. Because most tenants will need to take off work, arrange for childcare, consult with an attorney, and take other steps to prepare for their cases, we support an amendment that would require the Sheriff to serve the renting family with the complaint at least 14 days prior to trial.

Second, we have significant concerns with language throughout the bill that would allow the “Sheriff’s designee” to serve the complaint. If this language is interpreted to allow the Sheriff to contract out the process of serving eviction complaints to private process servers, those servers could supplant the central role of the Sheriff in the unique “nail and mail” service of eviction

complaints. Maryland has a high volume of eviction complaints filed each year. There are typically nearly 400,000 rent complaints (down from 650,000 prior to changes enacted by this body). The Sheriff plays a crucial role in timely completing service on the tenant by mailing a copy of the complaint and posting a copy on the door to the unit within specific timeframes. Rapid, efficient service of the complaint is fundamental to due process because it provides the renter with the only notice that they may be facing an eviction action just days before the trial takes place. A private process server would not be able to effectively integrate into this unique, fast-paced system for service of process. We suggest an amendment to strike all references to the “sheriff’s designee” or, in the alternative, clarify that the Sheriff may not contract out service of rent complaints to private process servers.

Public Justice Center asks that the Committee **issue a FAVORABLE WITH AMENDMENTS report on HB 62.**