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**HB 847 - Criminal Law - Fraud - Possession of Residential Real Property
Hearing of the House Judiciary Committee on February 17, 2026
Position: UNFAVORABLE**

Dear Chair Bartlett, Vice Chair Davis, and Committee Members:

Thank you for the opportunity to testify. Our organization is a member of Renters United Maryland, which opposes HB 847. While we appreciate the sponsor's intent to address rental fraud, 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 847 will 1) expand criminal law in a way that will be used against victims of rental scams, and 2) deny renters and other residents their constitutional right to be heard before an eviction – leading to more evictions and homelessness. **This Committee heard numerous proposals in 2025 to address concerns about squatters and expedited the judicial process to hear “wrongful detainer” cases by requiring a trial within 10 business days of filing a complaint.** This law went into effect on October 1, 2025, and we urge the Committee to gather data on how the law is implemented.

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

At PJC, we frequently represent renters who are falsely accused of being squatters. The [Baltimore Banner profiled two of our clients, Madison Pleas and Felicia Lemon](#), in the attached article. Their experiences highlight how predatory actors can weaponize the justice system against residents by calling them “squatters,” and we are concerned that HB 847 will unintentionally embolden those same property flippers and unlicensed landlords.

First, 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 tools to effectively prosecute squatting as well as scamlords who deceive renters into leasing properties by advertising on Facebook marketplace even though they are not the owner of the home. The General Assembly should take further action to hold accountable the social media companies and platforms that enable scamlord fraud.

Second the criminal provisions of HB 847 are too broad and vague. First, the bill criminalizes the “possession” or “claiming a right to possess” residential property, which could include the occupant-victim of a scamlord operation. Unlicensed landlords and property flippers already abuse the Wrongful Detainer court process to obtain a quick eviction of renting families who they don’t want in the property. HB 847 will give these bad actors a new tool: Accuse the renters of possessing a fraudulent lease and swear out charges with the District Court Commissioner to have the renters arrested – thereby accomplishing a *de facto* eviction. HB 847 will provide a powerful tool to bad actors seeking an end-run around eviction laws and ultimately lead to the arrests of victims of rental scams. These are scams in which the tenant finds a property online, pays the person who claims to be the “landlord” thousands of dollars in first month’s rent and security deposit, receives the keys, and then finds out weeks or months later that the purported “landlord” was never authorized to rent out the property. These families are victims of fraud and should not be criminalized.

Third, HB 847 will allow owners to bypass any court in seeking an eviction and go straight to Sheriff, in violation of the constitutional right to due process for Maryland renters and other legal residents. This 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.

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).

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 business 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.

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 judicial oversight from evictions will [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.

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 847 and urge an **unfavorable report**.

They are accused of squatting. Lawmakers want to speed up their day in court.

Hallie Miller

1/23/2026 5:30 a.m. EST



Madison Pleas was a Baltimore renter when accused of squatting even though she had a lease. (Jerry Jackson/The Banner)

Maryland lawmakers are renewing a push to streamline the court process for dealing with squatters, including a bill that seeks to accelerate the timeline for removing unauthorized residential tenants.

Should a property be listed for sale, the bill would require the subject of a squatting complaint to appear in court within five days of the filing instead of 10 days and condense the amount of time to hold an appeal hearing from 15 days to three, according to a nonpartisan legislative analysis. The bill requires tenants be notified of a complaint only by a door posting and not also by mail.

It's the fourth year a state lawmaker has proposed a bill aimed at expediting a squatting complaint, and this year's proposal lacks a sponsor in the Senate. But tenants rights activists and housing advocates are eyeing the proposal as a potential

threat, concerned it would endanger low-income renters and make more people susceptible to due process violations.

“We’re taking it seriously because we see how our clients are suffering from this [being wrongfully accused of squatting],” said Matt Hill, managing attorney at the Public Justice Center, a nonprofit law group that represents low-income people. He called the proposal problematic and questioned its constitutionality.

Unauthorized tenants have drawn the ire of housing providers over the last few years as home costs have grown higher. An illegal occupant can take weeks to remove from a property, which can extend the construction, moving or leasing periods and lead to financial losses.

During testimony for a similar proposal last year, housing providers, including the Maryland Association of REALTORS, said it was “imperative” to speed up court timelines to reduce monetary damage to property owners and allow law enforcement to hold people accountable more quickly.

President Donald Trump has weighed in, saying as part of a wide-ranging executive order in [July 2025](#) that the federal government would prioritize grant funding for states and municipalities that enforce prohibitions on “urban squatting.”

Part of the squatting problem stems from court backlogs that continue to recover from COVID-19-era shutdowns that created delays in hearing schedules and evictions. A 2025 bill passed by Maryland lawmakers seeks to speed up the legal process by requiring judges to hold hearings within 10 business days after someone files a complaint in court.

Another complicating factor centers on the rise of “scamlords,” scammers who [lure low-income and vulnerable tenants into artificial leases](#) inside properties they don’t own. The scammers often use fake social media profiles, burner phones and payment services such as Cash App that make wire transfers nearly impossible to rescind.

For that reason, Baltimore Sheriff Sam Cogen said, these cases are difficult to investigate and often “not as clear” [as some allege](#).

He said his office needs more time to assess whether the 2025 law, which requires a hearing within 10 business days, is sufficient or needs tweaking. The department, he said, is seeing an uptick in wrongful detainer filings.

In a statement, Maryland Judiciary spokesperson Nick Cavey said the court system “has no position” on the proposal. There are no reports of the courts experiencing difficulty getting cases within the 10-day time frame, he added.

Hill, from the Public Justice Center, said “going the squatter route” has become a more common tactic for landlords as Maryland [adds renter protections](#).

For example, in state jurisdictions that require rental licenses, unlicensed landlords cannot collect rent or file failure-to-pay eviction cases. But unlicensed landlords, Hill noted, are not precluded from filing wrongful detainer cases, which claim that someone in a property is trespassing.

Such was the case with Madison Pleas, a Baltimore tenant who rented from a friend in East Baltimore. The house had its kinks, Pleas recalled, but she adjusted to living there with her newborn daughter and could manage the rent.

Then the house foreclosed in 2024, Pleas said, and a new owner acquired it and offered her “cash for keys” to move out. Pleas turned it down, so the new owner filed a wrongful detainer suit, accusing her of being a squatter.

A public health researcher, Pleas said she considered her options and went with the “lesser of two evils.” She negotiated with the owner to drop the case in exchange for an expedited move-out.

Katie Davis, director of the Pro Bono Resource Center of Maryland, said in [2025 testimony](#) in the Maryland legislature that tenants frequently seek legal services for situations involving for-sale houses that new landlords want to flip and clear quickly.

Though the organization sympathizes with the squatter dilemma, Davis urged state lawmakers to view bills seeking to quicken the timeline with caution.

“We must be careful about the unintended consequences of legislation that could open the door to unconstitutional practices,” Davis said. “Families have a due process right to protect their home and their possessions.”

Typically, Davis added, PBRC’s clients have leases — but need help proving it.

In Felicia Lemon’s case, the longtime South Baltimore resident had lived in the same rental home in Cherry Hill for eight years on an annual lease. Lemon lives with her 12-year-old daughter and two adult children, who also help pay the rent.

Lemon’s property owner sold the house last year, and she almost immediately faced a wrongful detainer action by the new owner, alleging they were squatting. In November, Lemon won in court.

Now her landlord is trying another legal option to oust her. Afraid of the repercussions, Lemon is looking for a new home that can accommodate her family and their budget. It hasn’t been easy.

“I haven’t done anything wrong,” Lemon said. “I’m not sitting here ‘squatting.’ They’re making you look like you’re doing a crime when you’re not trying to.”

Other bills to be considered by state lawmakers this year include a measure that would prohibit fraudulent sales and leasing by scammers and another that would restrict people from creating or helping to create “counterfeit” leases or rental agreements.

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Hallie Miller covers housing in the Baltimore region and beyond for The Baltimore Banner. She previously reported on city and regional services for The Banner’s Better Baltimore series.

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