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JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
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MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 1571
Real Property – Access to Counsel in Evictions Program and
Mobile Home Parks
DATE: February 25, 2026
(3/4)
POSITION: Oppose, only as to the specific provisions noted below

The Judiciary has no opposition to the overarching objectives of the bill and appreciates the bill's expansion of access to counsel. The bill creates a statutory scheme for adjudicating disputes regarding rental agreements between mobile park owners and residents. It provides a number of safeguards to protect the rights of residents and prescribes remedies for a range of enforcement actions. These generally constitute public policy determinations which are the purview of the Maryland General Assembly. The Judiciary only opposes the specific provisions below.

The bill provides that when an appeal is noted from the District Court judgment, the District Court shall immediately enter an order directing the resident to pay all rent that comes due during the pendency of action into an escrow account of the clerk of the circuit court, an administrative agency that is empowered by local law to hold rents in escrow, or the park owner. Real Prop. § 8A-1705. The Judiciary traditionally opposes legislation that includes mandatory provisions and curtails judicial discretion. Additionally, to create an escrow account, especially to hold funds generated during the

pendency of an appeal, a circuit court clerk would normally need an order from a circuit court judge. The bill does not provide for such a process.

In addition, on page 35, lines 3 through 4, the bill requires the court to conduct a hearing within 30 days after certification of the status of the delinquent account. That timeline does not allow for the necessary notice to litigants nor for the Court to give meaningful opportunity for same. Additionally, as a separate branch of government, the Judiciary must retain the authority over docket management, including the scheduling of its cases. The Judiciary would request that the mandatory timeline be removed.

cc. Hon. Marvin Holmes, Jr.
Judicial Council
Legislative Committee
Kelley O'Connor