



HB 847 - Criminal Law - Fraud - Possession of Residential Real Property
Hearing before the House Judiciary Committee
February 17, 2026, 1:00PM
Position: Unfavorable

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide thought leader and clearinghouse for pro bono civil legal services in Maryland. As the designated pro bono arm of the MSBA, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar and offers direct legal services to over 5,000 clients annually.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the Tenant Volunteer Lawyer of the Day (TVLD) Program, now the Tenant Justice Program (TJP) in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented for their proceedings. Since then, this continually expanding Program has allowed PBRC staff and volunteer attorneys to represent thousands of low-income tenants in both Baltimore City and Baltimore County in multiple types of legal actions that could result in eviction.

PBRC is a member of Renters United Maryland, which opposes HB 847. While we sympathize with the situation that HB 847 is attempting to remedy, we urge an unfavorable report based upon its potential impact on some of our most vulnerable clients. 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 further criminalize conduct that is already a crime and deny renters and other residents a meaningful opportunity to be heard before they can be evicted. We are concerned that the expedited procedure for regaining possession and potential criminal charges contained in HB 847 could be used to evict low-income individuals from their homes without any judicial oversight and will further the criminalization of poverty by subjecting Maryland’s most vulnerable individuals to criminal charges against which they have no means to defend themselves.

PBRC attorneys have encountered numerous individuals who believed in good faith that they were renting from a legitimate landlord, only to find that they have been victimized by a scammer. The scam involves someone posing as the owner of a property, drafting a lease and collecting rent as a legitimate landlord would. Once the scam is discovered, the “renter” in this situation typically has no legal defense allowing them to remain in the property and cannot recover any “rent” paid. Under the procedure set forth in HB 847, they would not only be in danger of being confronted by a law enforcement officer with no prior notice and required to produce evidence of a legitimate lease or be evicted immediately, but they would face charges that could result in significant fines and imprisonment.

This committee heard numerous proposals in 2025 to address concerns about “squatters”, and the General Assembly passed SB 46 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. Before entertaining additional legislation on this issue, we urge the Committee to gather data on the impact of SB 46.

Eviction is a very serious matter. Our laws must provide for due process when it is a possibility. Not only does HB 847 not do this, but it increases the odds that low-income families will be unnecessarily criminalized.

For the above reasons,
PBRC urges an UNFAVORABLE report on HB 847.
Please contact Katie Davis, Director of PBRC’s Courtroom Advocacy Project, with any questions.

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