



House Bill 867

Date: March 4, 2026
Committee: Judiciary
Position: Unfavorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose membership consists of owners and managers of more than 207,246 rental housing homes in more than 937 apartment communities. Our members house over 667,000 residents of the State of Maryland throughout the entire State of Maryland. MMHA membership also includes more than 216 associate members that supply goods and services to the multi-housing industry. More information is available at <https://www.mmhaonline.org/>

House Bill 867 (“HB 867”) creates statutory provisions regarding wrongful detainer actions whereby those actions are only applicable if the property is conspicuously posted against trespass or loitering. By doing so, this “no trespass or loitering” signage presumes that actions filed under this statute only pertain to persons that have illegally broken and entered a property. However, there are numerous circumstances where this statute is used because it is the only remedy.

Below, we have outlined scenarios outside of a traditional break and enter “squatter” to highlight our concern with this bill. They include but are not limited to:

1. Owners of a property who need to remove a non-rent paying family member or guest that refuses to vacate,
2. Former non-rent paying employees of management companies that only have permission to reside at a property as a benefit and/or requirement of their employment,
3. Former tenants that had a lease, but were rejected in bankruptcy and their cases discharged which in turn voided their lease, effective the day before bankruptcy was filed, or
4. Occupants who believed they had a valid lease but were scammed by unscrupulous persons who broke and entered with the intent to unlawfully lease a property they do not own.

Not only are these circumstances inapplicable to posting notice of no trespass/no loitering but would wholly embarrass occupants who may have once been an authorized occupant and/or are only unauthorized now as a matter of law. Notwithstanding such, this bill also does not contain any references to timing for such signage being posted nor any safeguards for owners that do comply with the posting requirement but are later subject to it being removed by a loiterer, squatter, lessee, occupant, guest, etc.



As written, HB 867 creates scenarios that make the “no trespass/loitering” posting both inapplicable and confusing. It invites anyone to occupy any property if there is not a “no trespassing or loitering” sign posted and opens the door for those whom have broken into a unit to occupy property they were otherwise not entitled to enter. As such, MMHA requests an unfavorable report of HB 867. Please contact Ashley Clark at ashley.clark@mdlobbyist.com with any questions or concerns. Thank you.