



Maryland Consumer Rights Coalition

Testimony to the House Environment and Transportation Committee
HB1201: Real Property - Residential Lease Provisions - Responsibility of Tenant for Maintenance and Repair
Position: Unfavorable

February 23, 2021

The Honorable Kumar Barve, Chair
Judiciary Committee
Room 251, HOB
Annapolis, MD 21401
cc: Members, Environment and Transportation Committee

Honorable Chair Barve and Members of the Committee:

The Maryland Consumer Rights Coalition (MCRC) is a statewide coalition of individuals and organizations that advances economic rights and financial inclusion for Maryland consumers through research, education, direct service, and advocacy. Our 8,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

We are writing today in opposition of HB1201.

In 2020 we received a total of 939 complaints from Maryland residents statewide. Of those 939, 132 were related to substandard housing and the refusal of the landlord to make repairs. One of the most common complaints we receive from tenants is a loss of heat during the winter, and a loss of air conditioning in the summer. If HB1201 passes, we will see more landlords abdicating their responsibility to maintain heating and cooling systems.

This bill places the onus on the tenant rather than the property owner or landlord by shifting the burden of maintenance on the tenant. However, tenants' abilities to repair may be limited by their lease -- which could prevent construction or demolition within the property-- or their financial state; on average, professional electric furnaces repair can run to \$300 or more to repair, gas furnace repairs range from \$375 to \$1,200, and most HVAC repair professionals charge \$75 per hour but can range from \$50 to \$150 per hour.¹

HB1201 is vague and overly broad, giving landlords far too much leeway to put the burden of maintenance onto their tenants. If a landlord is unable or unwilling to perform even the most basic maintenance on an HVAC system, they perhaps should not be in business -- particularly in light of COVID

¹<https://www.homeadvisor.com/cost/heating-and-cooling/repair-a-furnace/#:~:text=Furnace%20Repair%20Costs&text=Electric%20furnaces%20can%20run%20%24300,%2450%20to%20%24150%20per%20hour>



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and the number of tenants who would be unable to pay for maintenance. Allowing landlords to shift this burden would be tantamount to saying that the denial of essential services is the fault of tenants.

For all these reasons, we do not support HB1201 and urge an unfavorable report.

Best,

Carol Ott
Tenant Advocacy Director
Fair Housing Action Center of Maryland