



Bill No: HB 1282—Real Property- Nuisance Actions- Rodent Harborage

Committee: Environment and Transportation

Date: 03/02/2021

Position: Oppose

The Apartment and Office Building Association of Metropolitan Washington (AOBA) represents members that own or manage more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's Counties.

House Bill 1282 permits a nuisance action against a property owner for damages caused by rodent harborage. The court may award compensatory and punitive damages to a prevailing plaintiff.

This bill would hold a property owner responsible for a rodent issue despite the conduct of a resident in a rental unit. Housing providers work hard to provide safe, habitable, high-quality housing, that is free of rodent harborage and pests.

Subjecting the property owner to compensatory and punitive damages for conduct outside their control is patently unfair. Also, how is cause of the rodent infestation to be determined? AOBA members take precautions to prevent rodent harborage on their properties through frequent inspections and following up on issues reported by residents. However, if a resident never reports a rodent issue and the issue is not community-wide, how can a property owner be held responsible? This legislation does not address the problem of rodents, it only shifts the blame to housing providers.

For these reasons AOBA requests and unfavorable report on HB 1282.

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