

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 628
Landlord and Tenant – Establishment of Rent Escrow Accounts –
Time Limit
DATE: February 10, 2021
(3/2)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 628. This bill requires a tenant who receives a court order to pay rents into a certain escrow account to establish the escrow account on the day the order is entered. It also requires a certain order relating to a wrongful detainer action to require a certain amount to be paid on the day the order is entered.

The bill eliminates the ability to establish a date certain for payments to be made by requiring the tenant to make payment when the order is entered. This is impracticable for many reasons and creates an unrealistic burden for the clerk's office to process on that day. People do not come to court typically with that kind of money, and if a case is towards the end of the day getting, for example, a money order may not be possible.

In addition, this bill takes away judicial discretion about when to order that rent be paid into escrow. It is also not clear what happens if rent is not paid into escrow on the same day as the order.

cc. Hon. Edward Reilly
Judicial Council
Legislative Committee
Kelley O'Connor