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February 5, 2021

To: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

From: Kira Wilpone-Welborn
Consumer Protection Division

Re: Senate Bill 401 – Landlord-Tenant – Nonrenewal of Lease – Notice Requirements
(SUPPORT)

The Consumer Protection Division of the Office of the Attorney General submits the following written testimony in support of Senate Bill 401 submitted by Senator Jill P. Carter. This bill provides that a landlord must give a certain period of notice for failing to renew a tenancy dependent upon whether a written lease exists as well as the length of the tenancy. During the pandemic, landlords have frequently used non-renewal of a tenant's lease as a means of bypassing the efforts of the Governor and the Centers for Disease Control to prevent tenants from being evicted due to COVID-19-related loss of income.

This bill provides for a statewide standardized period of time for providing notice to end a lease. The length of time for notice is dependent upon the length of the continuous tenancy in the same premises and whether a written lease exists. The longer a tenant resides in one place, the more established the tenant becomes, the longer the period of notice that will be needed to be able to pack up their items and move to another residence.

Having a statewide requirement for notice also ensures that people are treated fairly. Since Maryland does not have a just cause termination requirement, a landlord may elect not to renew a tenant's lease even if tenants have paid their rent every month and were model tenants in every other respect. The Consumer Protection Division receives complaints from individuals who are only given 30 days to move after residing in the same place for many years. Many are simply unable to find another place to live, pack all of their belongings, and make all the changes that are necessary to find a new school for their children and change over all of their utilities in a short 30-day window. In addition, they are simply unprepared for the need to have an up-front security deposit. This bill gives the resident the ability to plan so that a reasonable move can take place without harming the tenant.

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For these reasons, we ask that the Judicial Proceedings Committee return a favorable report on this bill.

cc: The Honorable Jill P. Carter
Members, Judicial Proceedings Committee