

January 18, 2022

The Honorable Kumar P. Barve
Environment & Transportation Committee
House Office Building, Room 251,
6 Bladen St., Annapolis, MD, 21401

RE: Support of Amendments HB 86 - Landlord and Tenant - Residential Leases - Tenant Rights and Protections (Tenant Protection Act of 2022) with Amendment

Dear Chairman Barve:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 86 - Landlord and Tenant - Residential Leases - Tenant Rights and Protections (Tenant Protection Act of 2022) with Amendment**. MBIA supports the Act with the amendments previously proposed by the Maryland Multi Family Housing Association on HB 50.

House Bill 86 provides residential housing restrictions in multiple categories. MBIA respectfully opposes the measure in its current version. This measure would require housing providers that use a Ratio Utility Billing System to provide an itemized statement related to allocated utility services. MMHA has offered amendments to address the industry concerns and MBIA strongly supports their adoption.

MBIA is also concerned that the requirement of landlords to provide a statement of costs will create a large time burden as landlord inventory and assess damage to the property as well as get estimates for repairs. This additional time expenditure may require them to exceed the 45-day security deposit return date. Additionally, the security deposit provisions have vague language that does not provide the necessary guidance to landlords in order to help them determine when a deposit must be returned. More specific language that the “where practicable” standard should be adopted. The provision also runs the risk of eliminating the existing dispute mechanisms in current law and could leave landlords strictly liable to treble damages. Finally, while MBIA recognizes that stalking is a serious and potentially dangerous situation, we do request that the bill take some measures to protect landlords by requiring that in tenants that do choose to vacate the premises but do not do so immediately can be held to their lease agreements after they overstay their 30-day period.

For these reasons, MBIA respectfully requests the Committee adopt the proposed amendments and give this measure a favorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the House Environment & Transportation Committee