



MARYLAND
LEGAL AID

Advancing
Human Rights and
Justice for All

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04.2021



January 13, 2022

The Honorable Kumar P. Barve
Chair of the Environment and Transportation Committee
House Office Building
Annapolis, Maryland 21401

Re: Maryland Legal Aid's Testimony in Support for House Bill 86 (cross-filed as SB 6)—Landlord and Tenant—Tenant Rights and Protections (Tenant Protection Act of 2022)

Dear Mr. Chair and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 86 (cross-filed as SB 6). This legislation will provide more adequate protections for tenants, provide transparency when landlords charge for utilities, increase the security deposit statute's clarity, protect tenants' rights to organize, and provide further protections for victims of domestic violence.

Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. MLA handles civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining employment, child custody, housing, and a driver's license. This letter serves as notice that Gregory Countess, Esq. will testify on behalf of MLA at the request of Delegate Stewart.

HB86 takes steps to improve the fundamental transparency and fairness in the landlord-tenant relationship, by requiring landlords to provide transparent information regarding utility billing during the tenancy and explanation of charges they seek to assess at the end of the tenancy. The requirement in this legislation that landlords who seek to use a ratio utility billing system fully explain that system in the lease will reduce confusion and increase fairness for tenants. Allowing tenants to see the way charges will be assessed and have documented information should resolve disputes, limit confusion, improve accounting and reduce arbitrary charges. Like all contracts under Maryland law, leases must be clear regarding all parties' rights and responsibilities to be fair and enforceable.

The bill's provisions should further improve transparency and reduce disputes by requiring landlords to provide specifics about the costs they withhold from a tenant's security deposit at the end of a tenancy. A security deposit is meant to provide security for the landlord to cover damages the tenant's use of the property may have caused. This legislation provides a straightforward way for landlords to show the actual damages

caused by use beyond ordinary wear and tear. MLA represents numerous tenants who object to unfair costs attributed to damages deducted from their security deposits. With the increased clarity mandated by HB86, fewer disputes and unsupported withholding of security deposits should occur.

In April 2020, advocates in MLA's Baltimore City office were approached by a group of tenants at a large multifamily property in Baltimore. The tenants had been facing issues with their owners since first moving in. The building was not licensed. Many dangerous conditions were on the premises, including severe life and safety concerns such as rodent and insect infestation. The small number of tenants who had leases were concerned about bad lease terms which, because units contained more than one tenant residence, left leaseholders responsible for rent for an entire unit but no means to determine who rented those individual residences. When tenants organized to educate their fellow tenants about their right not to pay rent because the property wasn't licensed and organize themselves into a tenant council, the owner threatened them with eviction. Also, the pandemic impeded efforts to organize so that even space outside the building under the owner's control was unavailable for tenants to discuss their concerns and organize. This bill would resolve those problems for residents.

Maryland Legal Aid's responsibility is to serve indigent Marylanders' legal needs, and the firm's mission is the advancement of Human Rights and Justice for All. This includes the right to safe and habitable housing. It also includes the right to equality before courts and tribunals and the equal protection of the law as enshrined in Articles 14 and 26 of the International Covenant on Civil and Political Rights. This bill provides more meaningful protections for a tenant's security deposit by requiring a more detailed accounting of the charges landlords levy against a tenant vacating a property. It also provides a framework facilitating tenants' efforts to organize; and furthers protections for those most vulnerable Marylanders suffering from domestic abuse. This bill addresses many critical issues for renters.

For these reasons, Maryland Legal Aid asks this committee for a favorable report on HB 86 (cross-filed as SB 6).

Sincerely,

/S/

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