



Bill No: HB 101 -- Landlord and Tenant – Repossession for Failure to Pay rent – Lead Risk Reduction Compliance

Committee: Environment and Transportation

Date: 1/18/2022

Position: Favorable with Amendment

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.

HB 101 requires property owners to provide registration or licensing information as part of a complaint during a repossession for failure to pay rent proceeding. In addition, if the property to be repossessed is an affected property, the property owner must state that the property is an affected property, and that the property is registered as an affected property. The bill mandates that the housing provider meet the burden of providing direct evidence of licensing to the court’s satisfaction and allows the Court to adjourn the trial for one to ten days to obtain documentation and from seven to ten days to find witnesses.

AOBA is concerned that this legislation allows for a ten-day adjournment period to procure documents and witnesses. The failure to pay rent process is a lengthy one. With the new 10-day notice requirement and delays throughout the process, AOBA members oppose further prolonging the process by adjourning the trial. Additionally, housing providers would also like the option to submit electronic versions of the lead certificate and required attachments.

AOBA suggests the following amendments:

AMENDMENT No. 1

- On page 5, line 19, strike “10 DAYS”; On page 7, line 19 strike “10 DAYS”.

AMENDMENT No. 2

- On page 5, line 22, strike “DIRECT”; On page 5, line 26, strike “DIRECT.” “Direct” seems unnecessary as the bill already requires property owners to submit the lead certificate as a part of the evidence.

AMENDMENT No. 3

- On page 5, line 23, after “section” add “WHICH MAY BE PROVIDED BY THE LANDLORD IN THE FORM OF AN ELECTRONIC COPY

For these reasons, AOBA supports a favorable with amendment report on HB 101.

For further information, contact Ryan Washington, AOBA Government Affairs Manager, at 202-770-7713 or rwashington@aoba-metro.org .