



Montgomery County

Office of Intergovernmental Relations

ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

SB 223

DATE: February 3, 2022

SPONSOR: The President (By Request - Office of the Attorney General)

ASSIGNED TO: Judicial Proceedings

CONTACT PERSON: Leslie Frey (leslie.frey@montgomerycountymd.gov)

POSITION: SUPPORT

Landlord and Tenant – Eviction Actions – Filing Surcharge and Prohibited Lease Provisions

Senate Bill 223 would protect tenants from superfluous evictions filings by raising the surcharge filing fees for summary ejectment (failure to pay rent), tenant holding over, and breach of lease actions against a residential tenant. Currently, the maximum filing fee is \$8; under the bill, the maximum fee would be raised to \$73. SB 223 also prohibits lease clauses that would make the tenant responsible for paying the fee.

Unfortunately, there are landlords who regularly use evictions filings as a scare tactic with their tenants and file actions with the courts every month. These excessive filings then require households who are vulnerable to becoming unhoused to continually appear in court which can further add to their housing instability. Furthermore, filings and judgments become part of the tenants' rental records, which are accessible to future landlords and can create an additional barrier to accessing alternative housing opportunities. Maryland has among the lowest fees in the country for filing these actions; by raising fees, landlords would not be incentivized to turn to the courts at the earliest opportunity to resolve their issues with tenants.

Montgomery County strongly supports initiatives to mitigate eviction and to keep residents housed as part of COVID-19 economic recovery. We therefore respectfully urge the Committee to issue a favorable report on SB 223.