



**Bill Title:** House Bill 34, Landlord and Tenant – Repossession for Failure to Pay Rent – Shielding of Court Records

**Committee:** Judicial Proceedings Committee

**Date:** March 28, 2023

**Position:** Favorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose membership consists of owners and managers of more than 207,246 rental housing homes in more than 937 apartment communities. Our members house over 667,000 residents of the State of Maryland throughout the entire State of Maryland. MMHA membership also includes more than 216 associate members that supply goods and services to the multi-housing industry. More information is available at <https://www.mmhaonline.org/>

Under House Bill 34, a landlord may not increase a tenant's rent solely because a judgment was entered against the tenant in a failure to pay rent action. Further, within 60 days after the final resolution of a failure to pay rent proceeding, the District Court must shield all court records relating to the proceeding if the proceeding did not result in a judgment of possession. On motion by a tenant, the District Court may shield all court records relating to a failure to pay rent proceeding that results in a judgment of possession if the tenant demonstrates by a preponderance of the evidence that the tenant exercised the right of redemption and at least 12 months have passed since the final resolution of the proceeding that the tenant seeks to seal or the district court determines that it is in the interest of justice that the court records relating to the failure to pay rent proceedings be sealed. The District Court is required to shield the court records within 30 days after granting the tenant's motion. As amended, House Bill 34 includes provisions relating to rent escrow, requested by MMHA.

MMHA has no objection to shielding a landlord/tenant action if the final resolution resulted in a dismissal or order for the tenant in a judgment of repossession. MMHA appreciates the Sponsor's engagement and willingness to work with us on this bill.

For these reasons, we respectfully request a favorable report on House Bill 34.

**Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992**