

HEARING DATE: January 25, 2023

Sherry Glazer

Bethesda, MD 20815

TESTIMONY ON SB# 0100 - POSITION: FAVORABLE

Real Property - Actions to Repossess - Proof of Rental Licensure

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Sherry Glazer

My name is Sherry Glazer. I am a resident of District 16 and I am submitting this testimony in support of SB#0100, Real Property-Actions to Repossess-Proof of Rental Licensur

I am a retired lawyer living in Montgomery County, Maryland and currently serve as a Public- at Large- Member of the County Commission on Landlord-Tenant Affairs. Through this experience and past professional work, I am familiar with the County's licensing laws covering rental properties. The licensing laws require landlords to apply for a rental license, and submit their buildings to periodic health and safety inspections. If a rental premises is unlicensed and there are no inspections the risk, of course, is greater that tenants and guests at the property (workers, guests of tenants, etc.) may be subjected to health and safety hazards.

Allowing unlicensed landlords to use eviction court encourages landlords to ignore licensing laws, thereby increasing the risk for hazardous conditions. It is apparent that unlicensed landlords, on occasion, do use the courts to evict tenants. The proposed bill would close an existing loophole under Maryland case law, which permits unlicensed landlords to evict tenants in certain types of cases, known as "Tenant Holding Over" cases. *See, Levicky v. CopyCat*. The number of "Tenant Holding Over" cases filed following the *Levicky* decision has increased significantly – 116% from FY 2018 to FY 2022. SB#0100 would remedy this situation by requiring landlords filing for eviction (with a few exceptions) to demonstrate compliance with local licensing laws.

Responsible landlords in Maryland agree that code violations at properties should be addressed, and that the loophole discussed above must be closed. Indeed, SB#0100 was written in agreement with a major stakeholder – the Maryland Multi-Housing Association – when it was initially introduced as SB#563 in 2022. The bill was passed by the General Assembly during that session, but vetoed by then Governor Hogan, with no time for an override.

I respectfully urge this committee to return a favorable report on SB# 0100.