



MARYLAND **MULTI-HOUSING** ASSOCIATION, INC.

# **2021 MMHA Government Affairs Team Maryland General Assembly Top 10 Accomplishments & Industry Savings**

***MMHA SAVED THE INDUSTRY \$892,340,512 IN 2021!***



01

## UNRECOVERABLE FEES

Defeated three separate legislative initiatives that sought to raise the surcharge fee in a failure to pay rent filing. All three bills rendered the surcharge fee unrecoverable. HB 729/SB 530, offered by Attorney General Brian Frosh, would have raised the surcharge fee from \$8 to \$120. HB 31, sponsored by Chairman Luke Clippinger of the House Judiciary Committee, would have raised the surcharge fee from \$8 to \$68. HB 478/SB232 would have raised the surcharge fee from \$8 to \$13. The industry realized a savings of \$72,800,000/annually with the defeat of the Attorney General's measure. i

02

## HOWARD COUNTY RENTAL LICENSE FEE

Defeated HB 1285 which would have increased annual registration fees in Howard County to pay for education and legal services for residents. This bill would have cost the housing industry \$500,000 per year. ii

03

## COVID-19 EVICTION RELIEF ACT

Defeated HB 1312 which would have established a complete moratorium on all evictions during a catastrophic health emergency and a complete rent freeze in addition to other requirements. Passage of particular provisions of this bill would amount to a \$407,232,000 annual industry impact. iii

04

## RENT CONTROL

Defeated HB 1283 which would have established rent control and banned rent increases above 0.4% per year for properties built prior to 1985. HB 1283's defeat saved the industry \$169,408,512 per year. iv

05

## MOLD INSPECTIONS

Successfully lobbied against mold legislation requiring inspections annually and at change of tenancy. Defeat of HB 129/SB 70 resulted in a savings of \$242,400,000. v

06

## TENANT PROTECTION ACT

Successfully lobbied against HB 50 which included burdensome ratio utility billing system provisions. Defeat of this bill results in possible staff and human resource savings.

07

## EVICTION ACTIONS - ALTERATIONS

Largely defeated, HB 52/SB 454 sought to make procedural changes in failure to pay rent cases, including extending the number of days between the filing of the complaint and the trial date and expanding permitted lengths of stay after a judgment for possession has been awarded. HB 52/ SB 454 would have also authorized the court to order an emergency stay of execution of a warrant of restitution for residential properties in breach of lease and tenant holding over actions. Failure of this bill ensures less delay in failure to pay rent actions.

08

## ADDITIONAL COMPLIANCE REQUIREMENTS

Successfully lobbied to remove provisions from bills that would have created substantial compliance issues including the burden of demonstrating licensure and registration requirements at a failure to pay rent proceeding (HB 49, HB 523, HB 524). Further, MMHA defeated legislation, HB 1223, designed to establish new tenant screening and renewal of tenancy standards. Possible industry savings in additional human resource costs.

09

## REBUTTABLE PRESUMPTION OF EMPLOYER-EMPLOYEE RELATIONSHIP

Successfully lobbied against HB 986/SB 806, which would have reopened the discussion on employer-employee relationships – a significantly contentious issue in recent years. Specifically, the bill would have created a new test that would have established a 15-part test for employers to overcome the presumption of an employer-employee relationship. In addition to the difficulty, impracticality or impossibility of an employer to meet the criteria in the 15-part test, this bill would increase member human resource costs.

10

## PROTECTED CLASS FOR TENANTS WITH CRIMINAL CONVICTION HISTORIES

Defeated HB 560, which would have established a protected class for tenants with criminal conviction histories. Further, the bill would have prohibited a housing provider from refusing to sell or rent a dwelling to any person because of a criminal history, regardless of the type of crime.

- i. HB 729/SB 530 (\$112 x 650,000 filings) \$72.8M/annually + HB 31(\$60 x 650K) \$39M/annually + HB 478/SB 232 (\$5 x 650K) \$3.25M/annually
- ii. \$15 per unit/per year; ~33,333 units in Howard County = \$500,000 annually
- iii. Rent Freeze/Moratorium: 808K rental units per ACS | Average increase in rent is 3% | Average rent is \$1400 per ACS | \$42/month x 12 = \$504 | \$504 x 808k = \$407,232,000
- iv. 808K rental units (ACS) | 48% built before 1980 = 387,840 (weareapartments.com) | 2.6% x \$1400 (average rent) = \$36.4 x 12 = \$436.80; \$436.80 x 387,840 = \$169,408,512
- v. 808K rental units (per ACS) x \$300 (\$650 average mold inspection cost at Home Advisor; can be as little as \$295 unless it's DIY) = \$242,400,000