

SB 282 A STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Golden, Sen. Jama

Action Date: 03/30/21
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 4-1-0-0
Yeas: 4 - Anderson, Golden, Jama, Patterson
Nays: 1 - Linthicum
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Devin Edwards, LPRO Analyst
Meeting Dates: 3/4, 3/9, 3/18, 3/30

WHAT THE MEASURE DOES:

Extends expiration of grace period for tenant repayment of rental debt accrued during emergency period from June 30, 2021 to February 28, 2022. Restricts landlords from reporting tenant nonpayment accrued during emergency period to consumer credit agencies and from considering tenant nonpayment accrued during grace period in rental applications. Establishes limits on guest restrictions and on what landlords may require from tenants' guests during stays longer than 15 days in a 12-month period. Allows former defendants to apply to seal court records of judgments regarding certain claims related to tenancy made during grace period. Sets expiration dates for various provisions. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Interaction with rental assistance funding
- Assistance for small landlords
- Screening tenant guests and occupants
- Presumption of retaliation

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

During the third Special Session in December of 2020, the Legislative Assembly enacted House Bill 4401, which extended the grace period for tenant nonpayment of rent and other charges, as well as the moratorium on evictions without cause, until June 30, 2021. The measure also extended the moratorium on eviction for nonpayment through June 30, 2021, for tenants who declared financial hardship.

Senate Bill 282 A extends the grace period for tenant nonpayment of rent and other charges accrued during the emergency period from June 30, 2021 to February 28, 2022. The measure also restricts landlords from reporting tenant nonpayment accrued during the emergency period to consumer credit agencies and from considering tenant nonpayment accrued during the grace period when reviewing rental applications. Landlords are also prohibited from imposing restrictions against guests based on the maximum duration of a guest's stay in a tenant's dwelling and from enforcing lower maximum occupancies than established by federal, state, or local law for a given dwelling. In addition, the measure allows landlords to require temporary occupancy agreements and guest screening using regular criteria, except for credit-related indicators. The measure allows former defendants to apply to seal court records of judgments regarding certain claims related to their tenancy if the claims arose during the grace period. Finally, the measure sunsets provisions regarding changes to allowable considerations for rental applications and applications to seal court records January 2, 2028; and provisions regarding tenants' guests sunset March 1, 2022.