



February 14, 2019

Montgomery County House Delegation  
6 Bladen Street, Room 223  
House Office Building  
Annapolis, Maryland 21401

***Concerns Re: MC 22-19 – Residential Leases – Just Cause Eviction***

Dear House Delegation Chair Korman and House Delegation members,

I am writing to you on behalf of the Greater Capital Area Association of REALTORS® (“GCAAR”) – the voice of Montgomery County and the District of Columbia’s more than 11,000 REALTORS®, property managers, title attorneys, and other real estate professionals. On behalf of GCAAR I ask that you oppose MC 22-19 – Residential Leases – Just Cause Eviction.

This legislation merges the process of eviction during a lease (or tenant holdover) and non-renewal of a lease. As a steadfast supporter of equal opportunity housing, GCAAR agrees with the intent of protecting renters during the term of their lease. But when looking at this bill’s effect on the end of a lease, the restrictions plainly conflict with the standards of contract law.

GCAAR sees many unintended consequences stemming from the possible passage of this bill, including:

- **Scope of “Just Causes” Unduly Limited** - The finite list of “just causes” in MC 22-19 pose an issue of lease becoming renewed without end. The “just causes” included in the bill do not cover the full spectrum of issues that can rise to the level of lease non-renewal. For example, general hostility towards a housing provider or fellow tenants is an issue that should lead to non-renewal. Under MC22-19 it would not.
- **Decline in Housing Opportunity** – The DC housing marketplace has seen a chilling effect due to excessive regulation, leading to less housing being made available.
- **Increased Litigation** - Unless one of the “just causes” clearly occurs, a housing provider will likely have to follow the eviction/non-renewal action through the legal system. This will lead to an increase in litigation between tenants and property owners. The threat of litigation places an additional administrative burden on landlords – especially home owners and smaller housing providers.

State and County laws currently provide a number of critical safeguards for tenants, including specifically prohibiting retaliatory actions like evictions. One example of this is Montgomery County Council Bill 19-15, passed in 2016. This was a comprehensive overhaul to tenant rights, including strengthening our regulations against retaliatory evictions and giving tenants more options at the time of renewal.

GCAAR believes that MC 22-19 will be harmful to the housing landscape and property rights in Montgomery County. We thank you for your consideration of our Association’s perspective. We are more than willing to answer any questions, and work with you on these important issues.

Sincerely,

Koki Adasi, GCAAR, President