

## **Open Work Session**

### **Letter of Support for State Legislation on Eviction Procedures in Wicomico County**

**January 7, 2020**

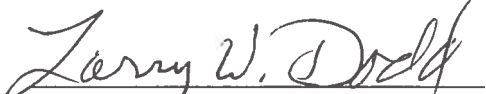
Mr. Cannon said this is just a letter of support for Legislation that passed unanimously in the House last year, but there was a hiccup in reference to the Committee presentation with the Senate, so the Bill had to go back into Committee. He said it was introduced to the Senate at the last hour after having passed the House, and because it was sent to Committee, the Bill just never was put into effect. He said they have reintroduced it again, and they are cross-filing it with the Senate and the House of Delegates to make sure it is done in a more timely fashion. He said he is simply requesting Council have a letter of support saying they are in favor. He said nothing has changed, and it is the same Bill as was presented last year. He said the Mayor of Salisbury has given his approval on it, and they have had staff giving testimony in Annapolis. He said he gave testimony in Annapolis last year as well, and Sheriff Lewis has also sent a letter in support of this Legislation. Mr. Dodd asked if they have a letter prepared, to which Mr. Cannon responded, yes, a letter is prepared, and is in the Brief Book.

Mr. Davis asked if the Bill has been reintroduced this year or pre-filed, to which Mr. Cannon responded, yes. Mr. Davis again asked if it has been pre-filed, to which Mr. Cannon responded, it better have been pre-filed because it has been there for a while. Mr. Davis said, if it has not been pre-filed and Council okays this letter, but then it is filed and there are things attached to it that Council might not agree with, they have already sent their letter of endorsement. Mr. Cannon said he thinks the letter pretty much states that their purpose is endorsement. He said, if the Bill were amended, he thinks their letter would have to state "as amended", but because it does not state that in the letter, he thinks they will recognize this as a letter of support for the Bill as introduced. Mr. McCain said they cannot say in the letter "as amended" not knowing what an amendment might be, and Mr. Davis has a pretty good point. He clarified, he is not saying he is opposed to the letter, but they might want to wait until it is actually filed, to which Mr. Cannon responded, he does not have a problem with that. Mr. McCain said Mr. Cannon said he hopes it has been pre-filed, but they are not positive, and he wanted to see it first. He said he knows what it said last year and Council all agreed to it then, and he does not see any of them not supporting it, but he would like to see it. He said he feels they are a little ahead of themselves because the session just started, to which Mr. Cannon responded, that is a good point, and he does not think it is going to compromise anything if they wait until it is filed because no one is going to be looking for the letter of endorsement until it is filed. Mr. Dodd asked Mr. Cannon if he has any objection to waiting, to which Mr. Cannon responded, he is just trying to get confirmation that Council is okay with this letter, and he assures them they will not send the letter until they have copies of it being filed. Mr. Dodd said he does not see the need to come back for a Work Session if they wait on this because he trusts Mr. Cannon. Mr. Cannon said he will certainly make sure Council gets a copy of the filed Legislation, and if anyone has objections once they see it, they can make Mrs. Hurley aware. Mr. Hastings asked if there are any changes to the Legislation this year, to which Mr. Cannon responded, no, it is the same.

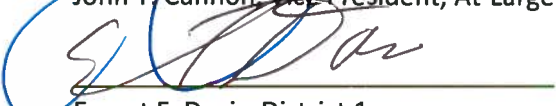
Mrs. Acle said she has not seen this before. She then asked if there was any opposition to this, to which Mr. Cannon responded, no. He clarified, the Public Justice Center was concerned about the timeframe of notification. He said they wanted an exact date within 14 days, and the Legislation said the tenant will be notified a minimum of 14 days, which could mean at least 14 days, or they could have 21 days before

the eviction process was actually expedited. He said it was somewhat confusing for the Public Justice Center because they stated they wanted it to be an exact date, and his argument was that this was to establish the process. He said, when the Sheriff calls and says it is going to be on March 3<sup>rd</sup>, that is when they have the exact date, and that is when it is posted for the tenant regardless, so that was not really part of the process they needed to establish by law.


Mr. Hastings said he is looking on-line right now to see if it was filed, and he does not see it pre-filed yet. Mr. Dodd asked if everyone is okay with waiting until it is filed, to which there was a consensus. There was no further discussion.

  
Larry W. Dodd, President, District 3

  
John T. Cannon, Vice President, At-Large

  
Ernest F. Davis, District 1

  
Nicole Agle, District 2

  
Josh Hastings, District 4

  
Joe Holloway, District 5

  
William R. McCain, At-Large

  
Laura Hurley, Council Administrator