

Open Work Session
May 2, 2017
Eviction Process in Wicomico County

Mr. Cannon said he wanted to discuss with Council legal work on legislation for evictions. He said just a very simple modification to the Code where this would keep people's property from being thrown out on the street during an eviction process. He said it is now in existence in Baltimore City. He said initially they tried to go through Delegate Carl Anderton to change State law. Delegate Anderton had their attorneys look at it, and they said the County could do this on a County level. He said Sheriff Mike Lewis is in favor of it, and Mayor Day is in favor of it. He said you can still evict an individual, but you do not throw all of their belongings out in the street. He said you lock the door, you change the locks, and you give them access later if you can come to that agreement. Mr. Matt Holloway said so it does not look junky. Mr. Cannon said, yes, and the idea is not to throw it out in the street where the neighbors come in and they start fighting for it. He said it causes a lot of problems, and you can get it under lock and key, and it is safe and done. Mr. Kilmer said the purpose of throwing it out is that the landlord has the place empty so they can start painting and do whatever. Mr. Cannon said the purpose of throwing it out is that it is mandated. The articles must be removed from the property in order to be construed as a formal eviction. Mr. Joe Holloway said this is going to take a lot of thought. Are you going to tie the landlord's property up? Are the people renting the house going to say okay you locked the house up, so you are responsible for the property. Mr. Cannon said once that eviction process has been done, and the door is locked; it is locked. The landlord can make agreements with the tenant to get their property, but they have already been issued notice within a period of four to six weeks, and they know it is coming. They have had the privilege. Mr. Cannon said he wanted to get started with a Legislative Bill. Mr. Matt Holloway asked if Mr. Joe Holloway was asking if that then makes the landlord responsible for getting rid of the trash. Mr. Joe Holloway said he was asking if it makes the landlord responsible for their property, are they going to come back tomorrow and say they had a big screen television and now it is not here. Mr. Cannon said they lost that right once the eviction is processed. They lose the right to that property, but it is not on the street anymore, it is in the house. Mr. Joe Holloway said that language need to be put in the Legislative Bill. Mr. Cannon said he wanted to know if it was okay with Council to begin the legal process for a Legislative Bill. Mr. Kilmer said we can start the process and they can discuss the details later.

Signatures on next page.

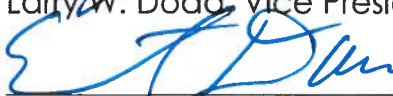
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John T. Cannon, President



Larry W. Dodd, Vice President, District 3



Ernest F. Davis, District 1



Marc Kilmer, District 2

John B. Hall, District 4



Joe Holloway, District 5



Matt Holloway, At-Large



Laura Hurley, Council Administrator