

Important Information for Maryland Renters and Dog Owners

The highest court in Maryland has declared that all “purebred pit bulls” are “inherently dangerous,” meaning owners of these dogs and their landlords can be held financially liable for any damage the dog causes as a result of a bite or attack, regardless of whether the dog has ever bitten before. Unfortunately, the Maryland state legislature failed to protect its constituents by passing a stop-gap measure during a special legislative session this summer, and now there will not be another opportunity to address it legislatively until January of 2013.

While the overwhelming majority of dogs are friendly and safe, landlords may react to this decision by trying to eliminate pit bull type dogs – or possibly all dogs – from their properties. Therefore, it is critical that all Maryland residents with dogs of any type understand what they can do to protect themselves and their pets, but it is critical for renters with pit bull type dogs to understand their legal rights.

This information is not intended as legal advice. Information on obtaining legal advice is listed below.

Understand which dogs are impacted by the court’s decision. The Court limited its ruling to “purebred pit bull” dogs, which may provide limited relief to owners of mixed breed dogs, which are not considered inherently dangerous under the Courts’ ruling. Owners of mixed breed dogs will be subject to the same liability rules as all other dogs. Although ultimately your landlord can still choose to exclude all dogs from the property, having proof that your dog is not a “purebred pit bull” might in some cases help forestall or delay your eviction.

We urge owners of any mixed breed pit bull type dog in Maryland to obtain veterinary or other documentation of their dog’s breed lineage and to provide such evidence to their landlord or rental agency to avoid any confusion. Most reliable documentation will be veterinary records or dog license records. If your previous records list your dog as a “pit bull,” you may wish to contact the source and request more specific information, because “pit bull” is not a single, identifiable breed.

You may find that your veterinarian or animal control (licensing) agency cannot identify your dog’s breeds with 100% confidence. This is because it is very difficult to do so, even for the most experienced professionals. In this case, the dog should be listed as a “mixed breed” dog on his or her records, because it is the most accurate assessment. It may also be helpful for you to document that the expert (vet, animal control staff, etc.) could not accurately identify your dog’s breed heritage.

Know Your Rights. Regardless of the type of dog you have, your landlord cannot just show up and force either your or your dog out. Landlords have to follow laws, give you notice, and go through a legal process to remove tenants or tenants’ pets. In this case, the legal process could be as short as 14 days, but it could take weeks and months, so it is important to be prepared and informed.

For information about your rights as a renter in Maryland, visit the Maryland Attorney General’s Consumer Protection Division at <http://www.oag.state.md.us/Consumer/landlordTenantPDF.pdf>.

Read Your Lease or Homeowner’s Insurance Policy Carefully. Contracts like leases cannot be changed without both sides agreeing, unless there is already language in the document that allows the change.

Do not delay: If your landlord threatens you with eviction or a change to your lease, act quickly to preserve all of your rights and protections. And remember, [finding a new rental property that allows dogs](#) may become more difficult, so if you anticipate moving don’t wait until the last minute to begin looking for a new place.

Be Prepared: Organizations across the state are hard at work trying to fix this situation, but we sadly may not have a resolution in time to help every resident keep their dog. If the worst does happen, and you are facing the choice between giving up your dog and giving up your home, please see our tips on how to find temporary or permanent placement options for your dog:

http://www.humanesociety.org/assets/pdfs/pets/md_pit_bull_arrangements.pdf

Obtain Legal Advice: For personal legal advice, contact an attorney licensed in Maryland. An attorney can advise you about alternate legal protections that might be available like the Fair Housing Act, which is part of the Americans with Disabilities Act.

If you cannot afford to contact an attorney, here are some additional resources:

District Court of Maryland's Self-Help Center: The District Court of Maryland launched a chat service last year, where anyone may chat online with an attorney for free:

<http://www.courts.state.md.us/district/selfhelpcenter/home.html>

The Maryland People's Law Library: This website is maintained by the Maryland State Law Library and has many articles about Landlord/Tenant law (<http://peoples-law.org/categories/4482/2>) as well as a list of reduced cost and free legal services (<http://peoples-law.org/directory>).

Baltimore Neighborhoods, Inc.

2530 N. Charles Street
Baltimore, MD 21218
410-243-6007 hit 0 twice to get to a live person
Landlord/Tenant Hotline is open Monday through Friday from 9:00 a.m. to 5:00 p.m.
www.bni-maryland.org/

The Lawyer Referral and Information Service

410-539-3112
http://www.baltimorebar.org/lris/need_a_lawyer.html

Offers reduced cost legal aid for those who qualify. Once a person qualifies and the case is evaluated and accepted, the reduced fee is \$75/hour.

University of Baltimore Law Clinic

1415 Maryland Ave.
Baltimore, MD 21201
410-837-5709
Offers free legal services provided by law students

The Legal Aid Bureau

500 East Lexington Street
Baltimore, MD 21202
www.mdlab.org
main: 410-951-7777 or 1-800-999-8904

Cherry Hill Neighborhood Center

606 Cherry Hill Road
Baltimore, MD 21225
Phone: (410) 355-4223
<http://www.mdlab.org>

Tenant Advocacy

Public Justice Center
1 North Charles Street, Suite 200
Baltimore, MD 21201
410-625-9409, then press 235
Mon-Fri, intake from 9-5pm

Civil Justice

520 W. Fayette St
Baltimore, Maryland 21201
410-706-0174
Press 1 and leave a message for an intake coordinator