



**THE HUMANE SOCIETY
OF THE UNITED STATES**

Important Information for Maryland Renters and Dog Owners

The highest court in Maryland has declared that “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. Despite expectations that the Maryland General Assembly would repeal this ruling during the 2013 legislative session, they failed to do so before they adjourned on April 8. The court ruling remains in effect and the next opportunity to address it won’t be until January 2014.

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, while it is critical that all Maryland residents with dogs of any type understand what they can do to protect themselves and their pets, it is especially important 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 “pit bull” dogs, which may provide limited relief to owners of mixed breed dogs. Owners of mixed breed dogs will be subject to the same current liability rules as all other dogs, the so called “one free bite” standard. Although ultimately your landlord can still choose to exclude all dogs from the property, having proof that your dog is not a true “pit bull” might in some cases help forestall or delay your eviction.

The HSUS is urging owners of any mixed breed pit bull type dog in Maryland to obtain documentation of their dog’s breed makeup 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 a more specific determination, because “pit bull” is not a single, identifiable breed, but rather a generic term typically used to group three breeds of dog and their mixes: the American Pit Bull Terrier (APBT), American Staffordshire Terrier (AST) and Staffordshire Terrier (ST).

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, if not impossible; 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 this is the most accurate assessment. It may also be helpful for you to document that the expert (veterinarian, 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 you or your dog out. Landlords have to follow the law, give advance notice of eviction proceedings, and go through a legal process to remove tenants or their pets. In this case, the legal process could be as short as 14 days, but it could take weeks or 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://bit.ly/RjcOh6>.

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

If You Think You Might Have to Move, Start Your Search Immediately: This ruling may make it more difficult for you to find a new rental property that allows your dog. If you anticipate moving, start looking for a new place right away. Property owners may be updating their pet policies to reflect the ruling, so be very thorough in your research.

Be Prepared: The HSUS and other organizations 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: humanesociety.org/dogarrangements

Obtain Legal Advice: For legal advice, contact an attorney licensed in Maryland, particularly one who specializes in landlord/tenant law. 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 an attorney, here are some suggestions for free or reduced cost legal services:

District Court of Maryland's Self-Help Center: The District Court of Maryland launched a chat service last year, where anyone may speak online with an attorney for free: <http://bit.ly/9eeZ16>. You can also reach them by phone at 410-260-1392. Hours: Monday through Friday, 8:30 am - 12:00 pm and 2:00 pm - 4:30 pm.

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://bit.ly/RK019S>) as well as a list of reduced cost and free legal services (<http://peoples-law.org/directory>).

Other Services:

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
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 student

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