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Maryland Legal Aid Sues Baltimore County Over Eviction Law That Treats Tenants' Property as "Abandoned"

Baltimore, MD – Maryland Legal Aid has filed a lawsuit on behalf of a Baltimore County family challenging a local eviction law that permits tenants' personal property to be treated as "abandoned" during the eviction process without notice or an opportunity to contest the loss of those belongings.

The lawsuit centers on Baltimore County's "Placement of Personal Property" ordinance, which states that a tenant's belongings "shall be considered abandoned" when removed during an eviction. Plaintiff Sherry Gudger alleges that the law resulted in the loss of important personal possessions during her August 2025 eviction, including her passport card, clothing, work tools, her eight-year-old son's bed, and other furniture.

According to the complaint, Ms. Gudger had already begun moving belongings out of the apartment when a maintenance worker, acting on instructions from property management, discarded the remaining items.

Baltimore County's ordinance is similar to a Baltimore City law that the U.S. Court of Appeals for the Fourth Circuit struck down in 2024. In that case, the court held that tenants are entitled to clear notice that they could permanently lose ownership of their possessions during an eviction and that due process requires a meaningful opportunity to determine whether property was truly abandoned.

The lawsuit alleges that Baltimore County's ordinance provides neither sufficient notice nor a fair process for tenants to protect their property rights.

Ms. Gudger is seeking compensation for the loss of her belongings and asking the U.S. District Court for the District of Maryland to declare the County's abandonment law unconstitutional.

"I became part of this lawsuit because I believe everyone should be treated fairly," said Sherry Gudger. **"A lot of people are going through hard times right now, and what happened to me and my family could happen to someone else. People deserve to know what can happen to their property and have a chance to recover the belongings that are important to them."**

"No court ever determined that Ms. Gudger and her son intended to give up ownership of their belongings, and she never had an opportunity to challenge the destruction of those items," said Kevonne Small, Chief Legal and Advocacy Director at Maryland Legal Aid. **"Still, under the County's current law, those possessions could simply be treated as abandoned and discarded. This case raises serious constitutional concerns about fairness and due process during the eviction process."**

"Baltimore County is on notice that courts have already found similar laws unconstitutional," said Lee Ogburn, Advocacy Director for Appellate and Impact Litigation at Maryland Legal Aid. **"Cases like this highlight the real harm that can occur when tenants are not given meaningful protections for their personal property during an eviction."**

According to the National Low Income Housing Coalition's 2025 *Out of Reach* report, Maryland renters face growing affordability challenges across the state. The report found that a worker in Maryland would need to earn \$39.15 per hour to afford a modest two-bedroom apartment at fair market rent, while the average renter wage in the state falls far below that threshold. The report also found that a worker earning Maryland's minimum wage of \$15 per hour would need to work 89 hours per week to afford a modest one-bedroom apartment at fair market rent.

"Losing your housing is already extremely destabilizing," said Zafar Shah, Advocacy Director for Human Right to Housing at Maryland Legal Aid. **"But then, for the county law to strip you of essential belongings such as identification documents, clothing, work equipment, or sentimental items, is simply kicking people when they are down. It becomes even harder to recover and regain stability. This policy deepens poverty."**

For more information or to arrange interviews with Maryland Legal Aid attorneys or plaintiff representatives, please contact Nicholle Granger at ngranger@mdlab.org.

About Maryland Legal Aid

Established in 1911, Maryland Legal Aid is a statewide nonprofit 501(c)(3) law firm that advocates with and for Marylanders experiencing poverty to achieve equity and social justice through free civil legal services, community collaboration, and systemic change. From its 11 offices across the state and through its many community-based clinics, Maryland Legal Aid helps clients preserve and access safe and affordable housing; maintain custody of their children and be safe from domestic violence; and increase their economic security by defending against consumer debt, including foreclosures and tax sales, removing barriers to employment, and accessing critical income supports such as Medicaid, SNAP, unemployment, and other vital public benefits. In its advocacy, Maryland Legal Aid seeks to change systems that perpetuate poverty and inequity.