

AOBA_FAV_SB 544

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Bill No: SB 544 – State Court Administrator - Warrants of Restitution and Writs of Possession - Data Collection and Reporting

Committee: Judicial Proceedings

Date: 2/18/2020

Position: Support

The Apartment and Office Building Association of Metropolitan Washington (AOBA) supports SB 544. AOBA's members own or manage more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George's counties.

SB 544 requires the State Court Administrator to collect and maintain, on or before July 1, 2021, and quarterly thereafter, publish on a website accessible to the public a report on information related to certain warrants of restitution and writs of possession. Such information includes (1) the address of the subject premises; (2) whether the premises was used for residential purposes; (3) the date of execution of the warrant or writ; (4) whether a tenant or an occupant was present at the time the warrant or writ was executed; and (5) the type of action from which the warrant or writ was issued.

AOBA supports efforts to increase transparency and information related to the warrants of restitution and writs of possession. Additionally, this data collection should be useful in defining the scope and developing effective solutions when crafting new policy.

For these reasons AOBA urges a favorable report on SB 544.

For further information contact Erin Bradley, AOBA Vice President of Government Affairs, at 301-261-1460 or eradley@aoba-metro.org.

Baltimore Regional Housing Partnership_FAV_SB544

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SB 544- Support

Warrants of Restitution and Writs of Possession - Data Collection and Reporting

Testimony of Adria Crutchfield, Executive Director, acrutchfield@brhp.org
The Baltimore Regional Housing Partnership
Judicial Proceedings Committee, February 18, 2020

Since 2012, the Baltimore Regional Housing Partnership (BRHP) has helped over 5,000 families overcome barriers to accessing safe neighborhoods with high performing schools and better job opportunities. In addition to providing rental assistance BRHP counsels participating families to prepare them for success in their new neighborhoods. One topic of our counseling program is how to maintain positive relationships with property owners and property managers. BRHP also mediates disputes when intervention can help a family stay in a good home. Despite our best efforts, there are still cases where we do not succeed in preventing or diverting eviction and such an event has disastrous consequences for a family's success.

BRHP strives to make data-driven policy decisions and we research evidence for the theories of change that impact our program. One area where research is unnecessarily difficult is eviction proceedings. Through the Eviction Lab, Matthew Desmond, the Maurice P. Daring Professor of Sociology at Princeton University, demonstrates how poor the existing dataset for understanding the depth of the problem really is. However, we do know that half of Maryland renters face a high rent burden, and eviction is a much higher threat to the vast majority of those families that do not have access to the types of counseling and mediation services BRHP provides to our participating families. Unscrupulous landlords coupled with high rent burden and substandard housing conditions, artificially manufacture risk and allow them to cyclically generate profit through eviction.

We have many questions about eviction proceedings in Maryland that are only answerable given a reliable, consistent, statewide dataset. Some basic data points that a tracking system should regularly monitor and report on would include the number of evictions carried out statewide annually, which jurisdictions or census tracts are most severely impacted, the geographic or periodic differences in reasons for eviction, and how evictions may be related to patterns of neighborhood change. Such a dataset can and should be generated and published by the State Court Administration to provide for the type of groundbreaking research that has been possible in other states. Most importantly, it would allow housing providers, housing advocates, and policy makers to better understand how rent court and eviction may continue a legacy of discriminatory housing practices and allow for prescribing an adequate remedy. BRHP supports passing SB544.

MedChi, CPSR_Gwen Dubois_FAV_SB0544

Uploaded by: DuBois, MD, MPH, Gwen

Position: FAV



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**Senate Finance Committee
State Court Administrator – Warrants of Restitution and Writs of Possession – Data Collection and Reporting, SB0544
February 18, 2020
Position: Support**

My name is Dr. Gwen DuBois. I am President of Chesapeake Physicians for Social Responsibility and serve on the legislative and public health committees of the Maryland State Medical Society, MedChi. I speak in support of SB 544 for both MedChi and the Chesapeake Physicians for Social Responsibility, a bill which will require the statewide collection of eviction data to improve policies and expenditures related to housing stability.

Homelessness and therefore evictions are a medical issue. Did you know that in Boston, a recent report found that sheltered homeless people had a mortality rate that was 3x higher than the housing secure but that among the rough homeless, those unsheltered, the mortality rate was increased 10 fold. Cancer and heart disease were the leading causes of death in all groups but chronic drug addiction and liver disease were a close 3rd and 4th cause of death in the homeless rough sleepers (shelterless). Not surprisingly, there is higher utilization of hospitals and emergency rooms and expenditures for health among the homeless population.

Unaccompanied homeless youths are more likely to be HIV positive, suffer with substance abuse, experience violence, and develop mental health issues. Homeless youth are also more likely to be pregnant, be associated with a pregnancy and/or become a parent. Homelessness in children is associated with developmental delays and poorer health. Recently there has been reports that among public school children there has been a disturbing increase in homelessness. Adults are more likely to have mental health and substance abuse problems, and when they suffer with chronic illnesses like diabetes and HIV, have difficulty managing their medicines and controlling their illnesses.

Hospitals, clinics, and health departments need data detailing the numbers and ages of people experiencing housing insecurity by locality so that there can be proper planning for this population with special needs. Transportation, nutritional help, and case management services are all crucial to help manage chronic illness in a population without stable housing. Schools will benefit from this information as well to keep these youth from falling behind academically.

Finally, and most important, research is essential on how to improve outcomes, reduce mortality, and hopefully ultimately eliminate homelessness. To achieve these objectives, there must be accurate data to document the scope of the problem and follow up data to provide evidence over the years of what types of intervention have and have not been successful. Data collection will help define the scope of the problem, will call attention to its magnitude, and help to plan for services to treat the problem and develop interventions to reduce homelessness in the future.

In medicine, prevention is better than treatment and solutions must be data driven. Accurate Data is where we start. MedChi and the Chesapeake Physicians for Social Responsibility request a favorable report on SB 544.

Gwen L DuBois, MD, MPH, President Chesapeake Physicians for Social Responsibility

Pro Bono Resource Center_FAV_SB544

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Position: FAV



SENATE BILL 544
Statewide Eviction Data Reporting
Hearing on Senate Judiciary Proceedings Committee – February 18, 2020
Position: SUPPORT

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide clearinghouse for pro bono civil legal services in Maryland. As the designated pro bono arm of the Maryland State Bar Association, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar. We respond to acute legal needs of low-income communities identified in areas across the state by piloting innovative pro bono service projects targeting specific legal problems or populations. Most of PBRC’s work and the work of other non-profits, legal service providers, and stakeholders throughout the State is heavily influenced and informed by data. We refer to data to identify trends and emerging issues, and to determine where we should focus our pro bono efforts.

Matthew Desmond, Eviction Lab founder and Princeton Professor of Sociology,
perfectly analogizes the importance of eviction data:
“Imagine if we didn’t know how many people got cancer every year?”

We do not know how many people are evicted in Maryland or where the evictions are occurring. Currently, the data on evictions in Maryland is inconsistent, often inaccessible, and only gives us totals—for example, the total number of Landlord/Tenant filings, and, in some jurisdictions, the total number of evictions carried out by the Sheriff’s Office. The total number of court filings does not tell us the most important pieces of information in combating homelessness, housing instability, and community destabilization: Where are evictions happening and how often does it happen?

SB 544 creates publicly accessible, centrally and consistently collected data on evictions in Maryland that would be available for download in a format where researchers, policy makers, stakeholders, and any member of the public can analyze, aggregate, and utilize the data to understand the scope and severity of the problem.

In May 2017, PBRC launched a pro bono program in Baltimore City Rent Court—the “Tenant Volunteer Lawyer of the Day Program”—due to the number of tenants appearing unrepresented in their eviction hearings. We know from the data PBRC collects on its rent court cases that many tenants we serve prevail at their rent court hearing. But due to the absence of data on actual evictions, we cannot determine whether overall eviction rates are declining as a result of our pro bono program. Not only does PBRC have an interest in understanding the impact of our work, but so do the 100+ members of the private bar who come to rent court to offer free legal representation to tenants at risk of eviction.

PBRC urges a FAVORABLE report on SB 544.

Please contact Sydney Dunning, Director of PBRC’s Courtroom Advocacy Project, with any questions.
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MMHA_FAV_SB544

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Position: FAV



Bill Title: SB 544, State Court Administrator - Warrants of Restitution and Writs of Possession - Data Collection and Reporting

Committee: Judicial Proceedings Committee

Date: February 18, 2020

Position: Favorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

SB 544 requires the State Court Administrator to collect, maintain, provide access to, and, on or before July 1, 2021, and quarterly thereafter, make and publish on a website accessible to the public a report on information related to certain warrants of restitution and writs of possession. Such information includes the address of the subject premises, whether the premises was used for residential purposes, the date of execution of the warrant or writ, whether a tenant or an occupant was present at the time the warrant or writ was executed and the type of action from which the warrant or writ was issued.

MMHA supports efforts to provide transparency and information related to the warrants of restitution and writs of possession. The combination and publication of such data could be useful in framing and determining policy.

For the foregoing reasons, MMHA respectfully requests a **favorable report on Senate Bill 544.**

Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992

Johns Hopkins Public Health and Medicine_FAV_SB544

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Senate Bill 544
**State Court Administrator - Warrants of Restitution and Writs of Possession -
Data Collection and Reporting**

Hearing before the Judicial Proceedings Committee, February 18, 2010

Position: SUPPORT

We, the undersigned, are researchers at the Johns Hopkins University Schools of Public Health and Medicine with expertise in the ways in which housing conditions impact human health. The views expressed here are our own and do not necessarily reflect the policies or positions of Johns Hopkins University or Johns Hopkins Health System. **We urge the Committee's favorable report on SB 544.**

Forty-seven percent of renters in Maryland spend over thirty percent of their household's income on rent and 25% spend over half of their income on rent.¹ This cost burden means that little money remains for other household necessities, among them food and healthcare. It also means that any unanticipated shock to family finances can put a family at risk of eviction.

Public health practitioners have known for centuries that a person's housing conditions are an important driver of health, but the affordable housing crisis and subsequent mass displacement of families via eviction has given us unique and troubling insight into the extent to which housing insecurity impacts population health. Forced moves expose families to a tremendous amount of stress and material scarcity, while also disrupting their physical and social environments.

A growing body of research has linked eviction to mortality, adverse mental health and substance use-related outcomes (e.g., overdose), healthcare utilization, and infectious disease outcomes in adults.^{2,3,4,5,6,7,8,9,10,11} Evictions have also been documented to undermine future

¹ https://www.jchs.harvard.edu/ARH_2017_cost_burdens_by_state_total

² Vasquez-Vera H, Palencia L, Magna I, Mena C, Neira J, Borrell C. The threat of home eviction and its effects on health through the equity lens: a systematic review. *Soc Sci Med.* 2017;175:199–208.

³ Desmond M, Kimbro RT. Eviction's fallout: housing, hardship, and health. *Social Forces.* 2015;94(1):295–324.

⁴ Bradford, AC, Bradford, WD. The effect of evictions on accidental drug and alcohol mortality. *Health Serv Res.* 2020; 55: 9– 17.

⁵ Niccolai L, Blankenship K, Keene D. Eviction from Renter-Occupied Households and Rates of Sexually Transmitted Infections: A County-Level Ecological Analysis. *Sex Transm Dis.* 2018.

⁶ Damon W, McNeail R, Milloy M-J, Nosova E, Kerr T, Hayashi K. Residential eviction predicts initiation of or relapse into crystal methamphetamine use among people who inject drugs: a prospective cohort study. *J Public Health (Bangkok).* 2018. doi:10.1093/pubmed/fox187.

⁷ Kennedy MC, Kerr T, McNeil R, et al. Residential Eviction and Risk of Detectable Plasma HIV-1 RNA Viral Load Among HIV-Positive People Who Use Drugs. *AIDS Behav.* 2017. doi:10.1007/s10461-016-1315-z.

economic mobility of households, and disproportionately impact communities of color. In particular, the consequences of eviction for black women have been likened to the destabilizing impacts of incarceration on the health and wellbeing of black men.¹²

We are only beginning to understand the ways in which eviction affects children. A recent study estimated that 15% of children in US cities experience an eviction by age 15.¹³ Work from our group and others suggests that eviction may contribute to adverse birth outcomes such as low birth weight and preterm birth, food insecurity, and lead poisoning among children.^{14,15,16} Experiencing these kinds of health issues early in life has a lasting impact on children's health, development, and future prospects.

As researchers, we need state-wide data on evictions to identify the determinants of evictions and measure the impact that evictions may be having on the health of Maryland children and families. Such information will inform the development of interventions that prevent eviction and ameliorate the negative consequences of evictions. Without high quality, up-to-date, and *open* data on evictions (i.e. downloadable online, but stripped of tenant names and case numbers), we cannot gauge the magnitude of the problem in Maryland in absolute terms or relative to other states. Lack of data also limits our ability to track change over time in eviction rates, monitor where evictions are occurring, and identify communities that are disproportionately affected by evictions. Fellow health researchers have used data from Princeton's Eviction Lab and other sources to map evictions, identify modifiable determinants of eviction (e.g., housing code violations, unaffordable housing, inequitable development),^{17,18} and demonstrate that

⁸ Kennedy MC, McNeil R, Milloy MJ, Dong H, Kerr T, Hayashi K. Residential eviction and exposure to violence among people who inject drugs in Vancouver, Canada. *Int J Drug Policy*. 2017. doi:10.1016/j.drugpo.2016.12.017.

⁹ Pilarinos A, Kennedy MC, McNeil R, Dong H, Kerr T, DeBeck K. The association between residential eviction and syringe sharing among a prospective cohort of street-involved youth. *Harm Reduct J*. 2017. doi:10.1186/s12954-017-0150-5.

¹⁰ Rojas Y, Stenberg S-Å. Evictions and suicide: a follow-up study of almost 22,000 Swedish households in the wake of the global financial crisis. *J Epidemiol Community Health*. 2016;70(4):409-413. doi:10.1136/jech-2015-206419.

¹¹ Rojas Y. Evictions and short-term all-cause mortality: a 3-year follow-up study of a middle-aged Swedish population. *Int J Public Health*. 2017. doi:10.1007/s00038-016-0931-8.

¹² Desmond M. *Poor Black Women Are Evicted at Alarming Rates, Setting Off a Chain of Hardship*. MacArthur Foundation, 2014.

¹³ Lundberg I, Donnelly L. A Research Note on the Prevalence of Housing Eviction Among Children Born in American Cities. *Demography*.

¹⁴ Leifheit KM, Schwartz GL, Pollack CE, Black MM, Edin KJ, Althoff KN, Jennings JM. Eviction in early childhood and neighborhood poverty, food security, and obesity in later childhood and adolescence: Evidence from a longitudinal birth cohort. Under Review.

¹⁵ Leifheit KM, Schwartz GL, Pollack CE, Black MM, Edin KJ, Althoff KN, Jennings JM. Severe housing insecurity in pregnancy: Association with adverse birth outcomes and poor infant health. In preparation.

¹⁶ Schwartz GL, Leifheit KM, Berkman L, Arcaya M, Chen J. Is eviction poisonous? A survival analysis of eviction & lead poisoning in a national urban birth cohort. In Preparation

¹⁷ Antony Chum (2015) The impact of gentrification on residential evictions, *Urban Geography*, 36:7, 1083-1098

¹⁸ Desmond M. *Evicted: poverty and profit in the American city* 2016.

eviction rates, above and beyond population social and demographic factors, are able to explain geographic patterns and disparities in disease.⁵ Conducting these types of analyses with Maryland data might produce compelling evidence to support using social policies to reduce evictions and improve health equity across the state.

We support SB544 / HB797 because we know that evictions are taking a toll on Maryland families and their health. We see an urgent need to quantify the problem of evictions in our state so that we can work hand-in-hand with policymakers to prevent evictions, improve health, and promote social justice.

Signed,

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SUPPORT

The Maryland Access to Justice Commission (A2JC) is an independent entity that unites leaders to drive reforms and innovations to make the civil justice system more accessible, user-friendly and fair for all Marylanders. A2JC is comprised of prominent leaders from different segments of the legal community in Maryland – including the deans of the two law schools, the attorney general, law firm partners, heads of the legal services providers and funders, corporate counsel, academics, legislators, the state bar and judiciary. A2JC is a proud partner of the Maryland State Bar Association (MSBA).

A2JC supports SB544 and requests a favorable report. The bill simply requires that the state of Maryland store, track and make public state-wide eviction data.

Why is tracking eviction data important?

After sociologist Matthew Desmond published his Pulitzer Prize winning book, *Evicted: Poverty and Profit in the American City* in 2017, there has been a sea-change in understanding among policy-makers of the deleterious impacts of evictions. The book laid bare what civil legal aid attorneys working on housing issues knew too well - that America had an eviction epidemic and that mass eviction was to the civil justice system as mass incarceration was to the criminal justice system.

As a follow-up to his book, in 2018, The Eviction Lab at Princeton University launched its first-ever national database on U.S. evictions. Prior to the launch of this dataset, little was known about the prevalence of eviction in America, so studying its causes and consequences was impossible. The data was eye-opening and made headlines because it revealed how eviction happens more often than thought and in places, unexpected.

The state of eviction data in Maryland

Unfortunately, most Maryland-specific data was inaccessible to researchers at Princeton's Eviction Lab. The site currently states that there were around 4,900 evictions in Maryland in 2016, but Baltimore City alone has between 6,000 and 7,000 evictions

annually, so the data reported on the Eviction Lab is incomplete for the state. Only three counties have been able to report eviction data to the Eviction Lab (Garrett, Caroline and Prince George's), but all other counties in Maryland, the Eviction Lab map shows an empty bubble indicating that there is no data available for that jurisdiction.

This is because there is no central location where Maryland eviction data is collected, stored or analyzed. The Maryland Judiciary has data on eviction filings - well over 600,000 filings in "rent court" alone - but does not have data on actual evictions. In Maryland, sheriffs are tasked with conducting evictions, but not all sheriffs' offices collect or track eviction data, and those that do, do it in different formats and with different data points. Further, neither individual counties nor the state as a whole has open, transparent and accessible data portal on evictions in Maryland.

"If you cannot measure it, you cannot improve it."

The use of the term eviction epidemic above is significant. Epidemics must be measured in order to be contained so as to avoid significant societal damage. In technical terms, an eviction happens when a landlord expels tenants from property he or she owns (after a court process and a court order is acquired). However, evictions are more than a loss of a roof over one's head, they are a loss to dignity. More and more research on evictions suggests negative impacts on physical and mental health, educational outcomes and job retention. Cost benefit studies in New York City and Philadelphia also assert that the cost of stopping an eviction through the provision of legal representation is far less than the law enforcement costs of conducting an eviction and shelter costs associated with dealing with homelessness as an aftermath of an eviction.

Such data points are essential if policy-makers are to understand the scope of the eviction epidemic and present solutions to abate the crisis. In Richmond, VA, where the Eviction Lab data pointed to one of the highest rates of evictions in the country, the data moved policy-makers to swiftly act and launch an Eviction Prevention and Diversion program. In 2019, the data helped persuade policy-makers in Cleveland and Philadelphia to become the 4th and 5th U.S. cities to guarantee a right to a lawyer in eviction cases after other cities, such as New York City, saw significant declines in evictions and reductions in costs to the city after implementing such a program.

On the federal level, The Eviction Crisis Act has been introduced and would provide funding for data collection. In Maryland, SB544 would create a one-stop source for eviction data so that simple questions about when, where and how many evictions are taking place in Maryland can be answered. The Maryland Access to Justice Commission sees the need for basic eviction data as an important foundational step to aid policy-makers in presenting viable solutions to address evictions in Maryland.

For the reasons stated, the Maryland Access to Justice Commission requests the Senat Judicial Proceedings Committee to issue a FAVORABLE report on SB544. For more information, please contact Reena K. Shah, Executive Director of the Maryland Access to Justice Commission, at reena@msba.org.

The Maryland Access to Justice Commission is an independent entity and does not endorse or oppose any political party or candidate for elected office.

Public Justice Center_FAV_SB544

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SB 544 - State Court Administrator -Warrants of Restitution and Writs of Possession - Data Collection and Reporting

Hearing before the Senate Judicial Proceedings Committee, Feb. 18, 2020

Position: SUPPORT

There is no centralized source of data about evictions in Maryland. Among 24 jurisdictions, some sheriff offices maintain records of evictions while others do not. The range of information and the formats of any collected data have no consistency or uniformity. To answer the basic question *How many evictions occurred in Maryland?* requires Public Information Act requests to local agencies and possibly visits to those offices to inspect boxes of records. These obstacles cause more than inconvenience; they impede analysis of eviction and prevent solutions.

SB 544 would create a one-stop repository of data about evictions of both renters and homeowners. This vital resource will help to revamp existing eviction prevention measures, to measure the effectiveness of appropriations around eviction prevention, and will jump-start innovation in Maryland's approaches to solving housing displacement.

Maryland eviction data is insufficient and inaccessible

In 2014 Public Justice Center set out to tell the story of eviction in Baltimore City through numbers. We found, however, that the only available data on city evictions – specifically, the execution of warrants of restitution by the city sheriff – were the sheriff's handwritten tables denoting the daily number of evictions carried out or canceled. These hard-copy papers were unpublished, their existence virtually unknown outside a circle of professionals operating in the district court. But, when collected, they provided an aggregate number of evictions, by the month over a span of 4 years. From there, Public Justice Center determined Baltimore City's average number of actual evictions (6,880 per year) and its eviction rate (5.8 per 100 renters or 1 in 17).

These rudimentary statistics had not been available to the public, not through the sheriff's office nor the Maryland Judiciary. Consequently, local and state agencies did not have these figures, either. In fact, Public Justice Center found that in 2015 Baltimore City had made appropriations to financially

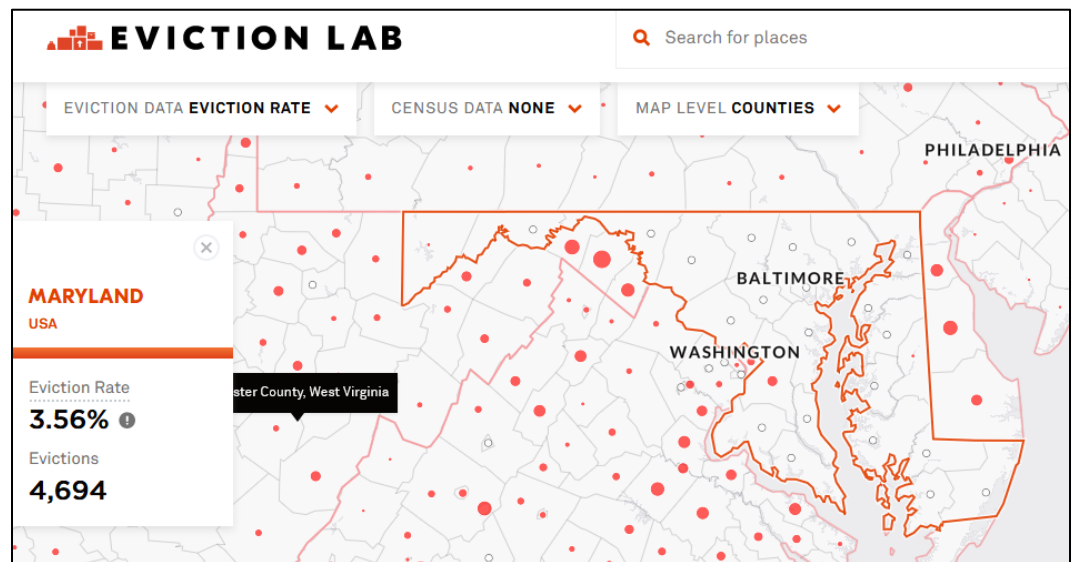
assist just 500 households facing eviction while the Maryland Department of Human Resources had budgeted for prevention of under 5,000 evictions statewide. It appeared that funding for critically needed financial assistance was “guesstimated,” unconnected to actual hard numbers about eviction.

SB 544 addresses a state and national information deficit

The lack of eviction data throughout Maryland is therefore a pressing problem, but hardly a new or uncommon one. A foundational 2003 study on eviction rates found that “we have no way of gauging even a modestly precise figure... because such data are simply not collected on a national basis or in any systematic way in most localities where evictions take place.” In 2018, Matthew Desmond described encountering the very same problem amid his ethnographic research for the Pulitzer Prize-winning book *Evicted: Poverty and Profit in the American City*:

“There were so many questions that remained unanswered after that effort. Like, literally, how many evictions happen in America every day? How many Americans are thrown out every day? We don't know where eviction is going up and down. We have no idea what this problem is doing to our families and our schools and our communities. Which laws work, which are most effective? We didn't have any answers to these questions because there's not a national database of evictions. **Imagine not knowing how many people in America get cancer every year or how many are incarcerated every year. That's where we are with the eviction crisis.** We had no idea how to answer these questions on a national scope because the data just didn't exist.”¹

This national deficit of eviction data reflects local deficits. At Princeton University, Desmond launched an ambitious project, Eviction Lab, to build a national database from 83 million eviction records. Because Maryland jurisdictions continue to produce and



Screen capture of Eviction Lab's interactive map of eviction data. Maryland shows far less data than neighboring states. Available at <https://evictionlab.org/map>

¹ Urban Institute. “The Power of Eviction Data: Putting Residential Instability Numbers into Public Hands” (April 12, 2018), available at https://youtu.be/9w4h8x_Uh_0 (last accessed Feb. 17, 2020).

intermittently maintain paper records of evictions, Eviction Lab accessed only 3 counties' data. SB 544 solves this information deficit by mandating collection and dissemination of specific data about eviction.

SB 544 focuses on the essential data about eviction

This bill mandates reporting of data about warrants of restitution and writs of possession issued in each jurisdiction. Specifically, the bill targets "landlord-tenant" actions for possession (Failure to Pay Rent, Breach of Lease, Tenant Holdover) and foreclosures. It requires the reporting of these data:

- Type of action
- Address of property
- Date of execution (or cancelation)
- Type of property (residential or commercial)
- Presence of occupant(s) at time of eviction

Notably, SB 544 does not contemplate the collection of any personal identifiers about the defendants in these actions (homeowner or tenant) nor even the case numbers of the actions.

This bill also builds on improving practices already demonstrated in Baltimore City and Montgomery County. Since 2018, the Sheriff of Baltimore City has begun to input daily information about the execution of warrants into spreadsheet format, capturing all the data points mandated under SB 544. The Sheriff of Montgomery County worked with the County's Office of Legislative Oversight in 2018 to deliver a comprehensive statistical study of evictions, including a geospatial analysis.

Open data will open pathways to anti-displacement innovations

Open eviction data will provide all stakeholders a vital new perspective on the prevalence, concentrations, and temporal shifts in eviction at every level of interest. Data should be the driver behind appropriations and distribution of financial assistance to prevent evictions. It should illuminate intersections between displacement and health, education, and voting power. It should help to measure whether a civil right to counsel in eviction cases would effectively save cities revenue compared to post-eviction interventions.

While the already-available numbers about Maryland court filings tells us that cases predominate in Prince George's County, Baltimore County, and Baltimore City, geocodable eviction data would provide stakeholders a detailed and comparative picture of evictions by city, ZIP, census tract, neighborhood, legislative district, and so on. SB 544 can lead to concrete demonstrations of how eviction impacts discrete communities. The data can help mobilize those communities and open new avenues to policy change – not only in housing and community development, but in adjacent arenas.

Please issue a report of FAVORABLE on SB 544. If you have any questions, please contact Zafar Shah, shahz@publicjustice.org, (410) 625-9409 Ext. 237.

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

Public Justice Center_FAV_SB544

Uploaded by: shah, zafar

Position: FAV



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SB 544 - State Court Administrator -Warrants of Restitution and Writs of Possession - Data Collection and Reporting

Hearing before the Senate Judicial Proceedings Committee, Feb. 18, 2020

Position: SUPPORT

There is no centralized source of data about evictions in Maryland. Among 24 jurisdictions, some sheriff offices maintain records of evictions while others do not. The range of information and the formats of any collected data have no consistency or uniformity. To answer the basic question *How many evictions occurred in Maryland?* requires Public Information Act requests to local agencies and possibly visits to those offices to inspect boxes of records. These obstacles cause more than inconvenience; they impede analysis of eviction and prevent solutions.

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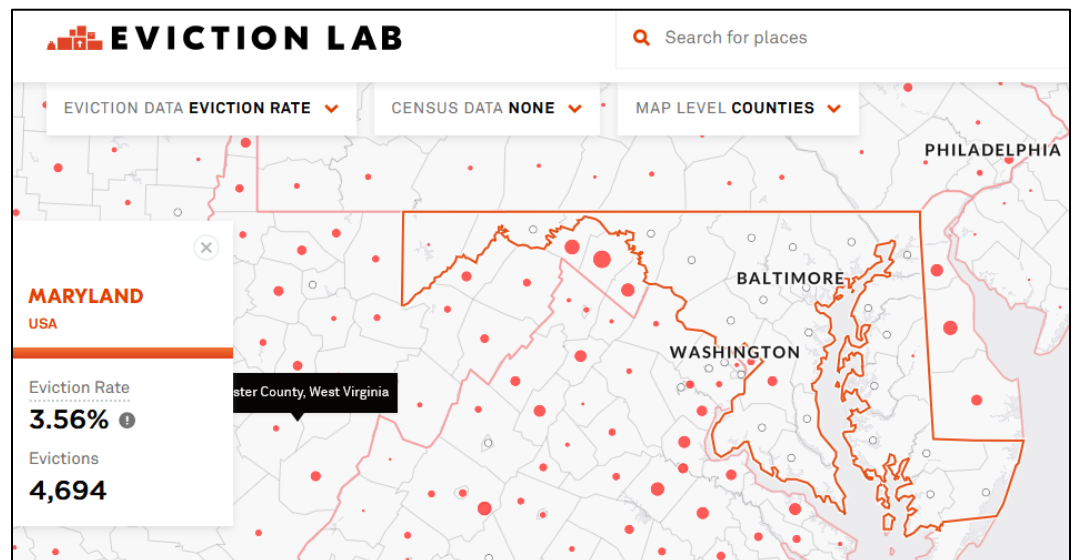
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Disability Rights Maryland_FAV_SB544

Uploaded by: warren, corinne

Position: FAV



Empowerment. Integration. Equality.

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www.DisabilityRightsMD.org

JUDICIAL PROCEEDINGS COMMITTEE

February 18, 2020

SB 0544 – EVICTION DATA COLLECTION

Position: SUPPORT

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the Protection & Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be part of their communities and live in safe, decent, secure, affordable and accessible housing.

Thank you for the opportunity comment on SB 0544. DRM supports SB 0544, which is a common sense bill that mandates that, “the State Court Administrator to collect, maintain, provide certain access to, and, beginning on or before a certain date, make and publish a quarterly report in a certain manner on certain information related to certain warrants of restitution and writs of possession; providing for a delayed effective date; and generally relating to warrant of restitution and writ of possession data and reporting by the State Court Administrator.”

People with disabilities have historically been forced into institutional settings, including state hospitals, nursing homes, and the criminal justice system.¹ This history contributes to persons with disabilities facing numerous and substantial barriers to fair and affordable housing from both the private and public housing sectors. In 2017, 57% of all housing discrimination cases filed with Fair Housing Offices, HUD, and the DOJ were based on disability.² Increased

¹ K. C. Lakin, S. Larson, P. Salmi, and A. Webster (2010). *Residential Services for Persons with Developmental Disabilities: Status and Trends through 2009*, University of Minnesota, <http://rtc.umn.edu/docs/risp2009.pdf>

² National Fair Housing Alliance, *2018 Fair Housing Trends Report*, <https://nationalfairhousing.org/2018-fair-housing-trends-report/>



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eviction rates lead to housing instability, which in turn, lead to higher rates of institutionalization and inpatient hospitalization for persons with disabilities.³

In regards, to the collection of eviction data- accurate and publicly available data is needed in order to monitor whether discrimination against persons with disabilities is occurring. Preventing discrimination in evictions requires reliable data from those who are enforcing the eviction process. Who is being evicted, and why are they being evicted, are necessary questions to prevent discrimination. Without this data, we do not know who is being impacted.

We do not believe this should be considered burdensome on the System Administrator. Currently, anyone with a criminal, civil, or family court history need only go on the website Maryland Case Search and search their name for their records. We do not see why evictions should be treated differently than any other court proceeding.

For all of these reasons, DRM urges a favorable report on SB 544. Thank you for considering our views. Please do not hesitate to contact Corinne Warren at 410-727-6352, ext. 2472 or by e-mail at CorinneW@disabilityrightsmd.org.

³ Kushel MB, Vittinghoff E, Haas JS. Factors associated with the health care utilization of homeless persons. JAMA. 2001;285:200–6.

City of Takoma Park_FAV_SB544

Uploaded by: wiggins, grayce

Position: FAV



City of Takoma Park, Maryland

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Takoma Park, MD 20912
www.takomaparkmd.gov

Testimony Concerning SB 544 “State Court Administrator – Warrants of Restitution and Writs of Possession – Data Collection and Reporting Submitted to the Senate Judicial Proceedings Committee February 17, 2020

Position: Support

Contact: Grayce Wiggins, Housing and Community Development Manager
graycew@takomaparkmd.gov – 301-891-7119

The City of Takoma Park strongly supports SB 544, which would require the State Court Administrator to collect, maintain, provide certain access to, and, beginning on or before a certain date, make and publish a quarterly report in a certain manner on certain information related to certain warrants of restitution and writs of possession. This bill will allow cities and counties across the State of Maryland, to obtain critical data that will inform their approach to addressing evictions.

The City of Takoma Park is a densely developed, largely residential municipality of almost 18,000 people living within 2.4 square miles in Montgomery County, Maryland. The City’s residential housing stock is about half multi-family rental buildings and half single-family detached homes. In October 2019, the City Council passed an aggressive Housing and Economic Development Strategic Plan which offers a coordinated approach to move Takoma Park towards a “Livable Community for All” for this and future generations.

A significant goal under this Plan is to address the critical housing needs of residents and their need for stable housing. The City of Takoma Park is attempting to comprehensively address these needs and to prevent homelessness. Through a City Council appropriation, an Emergency Assistance Fund was created to assist tenants and homeowners facing eviction with money to cure outstanding balances. We have been successful in preventing evictions for many of our residents and have developed strategies and strong partnerships with Montgomery County, State agencies, and nonprofit organizations to begin to address the root causes that lead to eviction. Further, we work closely with property owners (landlords), who are often small business owners, who welcome our strategic approach.

However, we have no uniform eviction data or centralized source that would enable us to address systemic issues, appropriately allocate funding, or establish policies that support greater stability in housing. The displacement of families due to eviction has devastating effects on every member of the household. Access to the limited data points proposed in SB 544 will provide our City and other municipalities with the tools necessary to effectively serve our residents.

The City of Takoma Park urges your favorable consideration of SB 544

MDJudiciary_UNF_SB544

Uploaded by: Jones, Tyler

Position: UNF

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Mary Ellen Barbera
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 544
State Court Administrator - Warrants of Restitution and Writs of Possession – Data Collection and Reporting
DATE: February 5, 2020
(2/18)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 544. Senate Bill 544 requires the State Court Administrator to collect, maintain, provide access for inspection to, and, on or before July 1, 2021, and quarterly thereafter, make and publish on a website accessible to the public a report of certain information related to each warrant of restitution or writ of possession issued in accordance with a judgment for possession entered under Title 7, Subtitle 1 or § 8–401, § 8–402, § 8–402.1, § 8–402.2, or 10 § 14–132 of the Real Property Article. Please note that a writ of possession as indicated in the current bill is not related to landlord/tenant actions but rather is used in debt collection activities. In landlord/tenant actions, there is a Request for a Warrant of Restitution and a signed Warrant of Restitution. The signed Warrant of Restitution authorizes the Sheriff to evict.

This legislation is unworkable as the Judiciary does not maintain or control the data this bill instructs the Judiciary to make accessible on a website. Except for the type of action from which the warrant or writ was issued, all of the information required under this bill is currently controlled and/or collected by the local sheriff's departments and other law enforcement agencies. Some of this data is not and could not be collected by the Judiciary. For example, it is unclear how the Judiciary would know whether a tenant or an occupant was present at the time the warrant was executed.

In addition, warrants of restitution are processed manually when received by the Judiciary and are not currently maintained electronically. Even if the Sheriffs provided this information to the Judiciary electronically, a new database would need to be developed and all 24 Sheriffs' offices would have to provide the information for the database. If the Judiciary is to input this data received from the Sheriffs' offices, this would require additional Judiciary clerk staff to handle the new data collection and reporting processes. It is the Judiciary's understanding that since the Sheriffs' offices

(Baltimore City) currently input this data into an excel spreadsheet, it is unclear why this bill is necessary and why such duplicative data entry efforts are needed.

cc. Hon. Ronald Young
Judicial Council
Legislative Committee
Kelley O'Connor