

## **SB 154: Right to Counsel SUPPORT**

Testimony of Mary Bradford, Program Manager on behalf of Beyond the Boundaries  
Senate Judicial Proceedings Committee, January 28, 2021

Beyond the Boundaries urges our Maryland State Senators to Support SB 154: Right to Counsel.

Beyond the Boundaries is an Archdiocese of Baltimore program with members from churches throughout Maryland. We recognize the need for Catholic organizations to advocate for social justice, especially as it relates to stable and permanent housing. The United States Conference of Catholic Bishops has repeatedly [stated](#) that to effectively love our neighbor, we must care for the conditions in which they live, and we must acknowledge decent housing as a human right.<sup>1</sup> “Since decent housing is a human right, its provision involves a public responsibility.”<sup>2</sup> Such public responsibility includes providing Maryland tenants the right to counsel. In eviction proceedings, landlords hold much of the power, leaving tenants in an untenable position. Beyond the Boundaries believes it is our moral obligation to ensure all people facing eviction are afforded the opportunity to a fair fight to stay in their homes. Therefore, we call on our Maryland Legislature to support SB 154 Right to Counsel Bill.

Providing a right to counsel affords Maryland tenants the fighting chance they deserve to maintain their home. According to a recent report [Stout Risisus Ross](#), in one Maryland jurisdiction, 96 percent of landlords are represented in court proceedings, yet only 1 percent of tenants have counsel. With counsel, 92 percent of represented tenants would avoid disruptive placement.<sup>3</sup> Guaranteeing a right to counsel in eviction proceedings levels the playing field and gives tenants a fighting chance to avoid displacement. It [has proven effective](#) in other jurisdictions, it’s time we put it to work in Maryland.<sup>4</sup>

Providing a right to counsel is also an opportunity for Maryland to redress a history of racial disparities. “A recent [study by Dr. Timothy Thomas PhD](#) shows “that the highest risk of eviction occurs in the most segregated neighborhoods to the West and in gentrifying neighborhoods to the East” (referring to Baltimore City).<sup>5</sup> Furthermore, Black female headed household experience evictions 3.9 times higher than the number of white male headed household evictions, while Black male headed households are evicted at a rate 2.3 times higher.<sup>6</sup> During the Covid-19 crisis, people of color are being impacted the most. “[According to census data](#), 31% of Black renters, 25% of multiracial renters, and 18% of Hispanic renters are not caught up on rent”<sup>7</sup> It’s time for Maryland to redress these racial disparities by providing legal representation in eviction proceedings.

Providing a right to counsel reduces the number of homeless and housing insecure Marylanders. In a [2019 assessment on homelessness in Baltimore City](#), 22% of people surveyed reported evictions as the primary cause for their current homelessness.<sup>8</sup> [Studies of right to counsel in evictions legislation in San Francisco and Boston](#) both show when tenants are represented in

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<sup>1</sup> <https://www.usccb.org/resources/right-decent-home-pastoral-response-crisis-housing>

<sup>2</sup> <https://www.usccb.org/resources/right-decent-home-pastoral-response-crisis-housing>

<sup>3</sup> [https://abell.org/sites/default/files/files/Baltimore%20RTC%20Report\\_FINAL\\_5\\_8\\_2020.pdf](https://abell.org/sites/default/files/files/Baltimore%20RTC%20Report_FINAL_5_8_2020.pdf)

<sup>4</sup> <https://abell.org/publications/economic-impact-eviction-right-counsel>

<sup>5</sup> <https://evictions.study/maryland/report/baltimore.html>

<sup>6</sup> <https://evictions.study/maryland/report/baltimore.html>

<sup>7</sup> [https://www.marylandattorneygeneral.gov/A2JC%20Documents1/AG\\_Covid\\_A2J\\_TF\\_Report.pdf](https://www.marylandattorneygeneral.gov/A2JC%20Documents1/AG_Covid_A2J_TF_Report.pdf)

<sup>8</sup> [https://homeless.baltimorecity.gov/sites/default/files/PIT%20Report%20Draft%202019\\_Update%208.30.19\\_Update.pdf](https://homeless.baltimorecity.gov/sites/default/files/PIT%20Report%20Draft%202019_Update%208.30.19_Update.pdf)

eviction proceedings, they are more likely to avoid homelessness, with projected cost savings to states.<sup>9</sup>

Providing tenants a right to counsel in eviction proceedings improves outcomes for Maryland's youth. According to a report from the [Aspen Institute](#), "children who switch schools frequently due to instability or homelessness are more likely to struggle academically and display behavioral problems, less likely to graduate from high school, and earn less than their peers as adults."<sup>10</sup> Furthermore, [according to the Stout Report](#), in 2019 nearly 10 percent of youth entered foster care due to their families experiencing housing instability.<sup>11</sup> To ensure stability and positive outcomes for all Maryland youth, it is our moral call to provide tools to reduce evictions and prevent housing displacement for families.

Providing tenants a right to counsel in eviction proceedings is cost effective. [Stout](#) estimated that for every dollar invested in a right to counsel for low income tenants in Baltimore City, there is a cost savings estimate of \$6.24. With an annual investment of \$5.7 million, Baltimore City and the state of Maryland could yield \$35.6 million in benefits or cost avoidance. Yet this cost savings isn't limited to Baltimore City. [Studies conducted in New York City, Boston, and Philadelphia](#) all support the millions that could be saved by States when tenants are provided a right to counsel and disrupted placements are avoided.<sup>12</sup> In a time when cities and states are tightening budgets to redress the economic impact of Covid-19, Maryland needs to implement this effective and cost saving remedy.

[Maryland is in a housing crisis, and there is a tsunami of evictions on the horizon](#) after the moratorium is lifted.<sup>13</sup> While the right to counsel isn't the sole remedy, it is an essential tool in the box to provide sustainable and stable housing in our state. Maryland tenants deserve to have a fighting chance to remain in their homes.

It's time for Maryland to answer its moral call to public responsibility towards housing. We urge support for SB 154 Right to Counsel.

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<sup>9</sup> <http://nlchp.org/wp-content/uploads/2018/10/ProtectTenants2018.pdf>, pg 16

<sup>10</sup> <http://www.aspenepic.org/wp-content/uploads/2019/05/Housing-Affordability-and-Stability-An-EPIC-Challenge.pdf>

<sup>11</sup> [https://abell.org/sites/default/files/files/Baltimore%20RTC%20Report\\_FINAL\\_5\\_8\\_2020.pdf](https://abell.org/sites/default/files/files/Baltimore%20RTC%20Report_FINAL_5_8_2020.pdf)

<sup>12</sup> <https://www.americanprogress.org/issues/poverty/reports/2019/10/02/475263/right-counsel-right-fighting-chance/#:~:text=A%202016%20cost%2Dbenefit%20analysis,the%20cost%20of%20providing%20counsel.>

<sup>13</sup> [https://www.marylandattorneygeneral.gov/A2JC%20Documents1/AG\\_Covid\\_A2J\\_TF\\_Report.pdf](https://www.marylandattorneygeneral.gov/A2JC%20Documents1/AG_Covid_A2J_TF_Report.pdf) (pgs 17-18)  
<https://nlihc.org/coronavirus-and-housing-homelessness/eviction-update> (click Maryland)