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TESTIMONY IN SUPPORT OF HB18/SB154
Landlord and Tenant – Eviction Action – Right to Counsel

TO: Chair Clippinger, Vice Chair Atterbeary, and members of the Judiciary Committee

FROM: Jeffrey Rubin

My name is Jeff Rubin and I am a resident of Potomac, in District 15. I provide this testimony in strong support of HB18/SB154, Landlord and Tenant - Eviction Action - Right to Counsel.

In his Pulitzer Prize-winning book about eviction and poverty in America, Matthew Desmond painted a vivid picture of the harm that befalls an individual, a family and its community as a consequence of eviction. It's a toxic blend of psychological instability, emotional turmoil, potential job loss, disruption of children's education, loss of property, and degradation of community spirit.

HB18/SB154 would reduce the likelihood of eviction by enabling renters to have legal representation during eviction proceedings. Currently, landlords in Maryland have some form of representation in Rent Court in ~95% of cases, whereas renters are represented in ~ 5% of cases. Not surprisingly, renters rarely prevail in court. By contrast, in jurisdictions where renters have a right to counsel they are victorious in over 80% of cases.¹ Trends suggest that landlords in these jurisdictions have begun to seek remediation more often rather than routinely filing for eviction because they have learned that this is a more cost effective way to resolve disputes. Consequently, renters are far less likely to lose their homes and courts are less overwhelmed with an outrageous number of eviction cases.²

¹ Just the Facts: Right to Counsel Stops Evictions in NYC; Right to Counsel NYC Coalition, 2020.

² In recent years over 600,000 eviction proceedings have been filed annually in Maryland, corresponding to ~80% of rental units. In contrast, the eviction filing rate is ~5% in Pennsylvania and ~16% in Virginia. From Attorney General Brian Frosh, press conference December 28, 2020.

Moreover, a recent report indicated that implementation of the right to counsel in Baltimore City would save the local government ~\$35.6M in expenses for housing, foster care, homeless student transportation, Medicaid, and related expenses for the evicted population.³

In summary, a right to counsel would decrease the frequency of eviction and attendant personal hardships, while reducing the financial cost to the government. **I therefore respectfully urge a favorable report on HBI8/SBI54.**

³ The Economic Impact of an Eviction Right to Counsel in Baltimore City; Stout, 2020.