



**MARYLAND  
LEGAL AID**

*Advancing*  
**Human Rights and  
Justice for All**

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March 25, 2022

The Honorable Delegate Kumar P. Barve  
Environment & Transportation Committee  
House Office Building  
6 Bladen St.  
Annapolis MD, 21401

Re: Testimony in support of Senate Bill 384 – Stay of Eviction Proceeding for  
Rental Assistance Determination

Dear Chairman Barve and Members of the Committee,

Thank you for the opportunity to testify in support of this important bill. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the state's low-income and vulnerable residents. MLA handles civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove child custody, housing, and employment barriers. Maryland Legal Aid supports SB 384 and asks that this committee give it a favorable report.

This letter serves as notice that Alex Avdakov, Esq. will testify in support of Senate Bill 384 on behalf of MLA at the request of Delegate Vaughn M. Stewart. Rental assistance is an essential lifeline to Maryland's most vulnerable families impacted by the Covid-19 pandemic. As of December 2021, \$240 million in rental assistance has been distributed to 40,000 renters across Maryland. In February 2022, the Maryland Department of Housing and Community Development announced that an additional \$204 million would be allocated to the state's emergency rental assistance program, also known as Funding Phase II. Rental assistance is a continuing necessity in Maryland.

Meanwhile, failure to pay rent (FTPR) eviction cases continue to be heard daily in Maryland District Courts. Some opponents of this bill state that there is a months-long delay between filing an FTPR complaint and the date of the hearing, rendering this bill unnecessary. However, MLA's experience is that the time between filing the complaint and the hearing date is set within two weeks of filing in most counties. Large jurisdictions like Baltimore City, Prince George's County, and Montgomery County are the exceptions.

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In Baltimore City, before courts entered phase III operations, hearings were scheduled as soon as 30 days from the filing date. Factoring in Maryland's new 10-day notice requirement, this gives tenants 40 days to apply for and obtain rental assistance. If the tenant fails to get this assistance in time, a judgment is entered against them, leading to eviction. In the experience of MLA advocates, the typical wait period for rental assistance in Baltimore City is several months. The wait time for rental assistance in other jurisdictions is similar. Because of this wait, tenants that would otherwise qualify for and receive rental assistance are evicted. In many cases, landlords that have already agreed to accept rental assistance funds refuse to wait any longer. SB 384 gives more time for rental assistance to be awarded, preventing unnecessary evictions.

At the same time, the bill limits an eviction stay to a maximum of 35 days. This will force rental assistance agencies to continue acting quickly. This bill also forces tenants to act quickly. It limits stays to tenants that have sought rental assistance within 30 days of the Failure to Pay Rent filing. Tenants will actually receive the court summons several days after the filing.

The proposed legislation is limited to evictions in the context of a Failure to Pay Rent. It does not prevent landlords from choosing to provide proper notice to end a lease and evicting the tenant through a Tenant Holdover action. Maryland recently implemented a 60-day notice to terminate an expiring or expired lease. One month's notice was previously required. Similarly, this legislation does not impact the ability of landlords to evict tenants for severe breaches of the lease.

In sum, SB 384 is narrowly focused on getting rent money into the hands of landlords, which is what they are demanding by filing a failure to pay rent eviction. As a result, fewer Maryland families will face eviction. MLA respectfully requests that you provide a favorable report on SB 384.

Sincerely,

/s/Alex Avdakov

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