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Disability Rights Maryland

Senate Judiciary Committee

February 9, 2021

SB 279 – Access to Counsel in Evictions Special Fund – Alteration

POSITION: SUPPORT

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the federally designated Protection and Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to prevent evictions for disabled individuals through access to counsel in eviction proceedings.

DRM **supports** SB 279 as a necessary piece of legislation for the State of Maryland to increase funding for access to counsel in evictions which is vital to growing the number of Maryland residents served through access to counsel. With more funding and services provided, more Maryland residents will remain housed.

SB 279 positively alters the Access to Counsel in Evictions Special Fund by adding money received by the Division of Consumer Protection in the Office of the Attorney General related to the Maryland Consumer Protection Act for unfair, abusive, or deceptive trade practice for residential property. In DRM's eviction work, we have seen countless landlords violate the Consumer Protection Act and still successfully gain possession of their rental property because the tenant does not have access to counsel. If the tenant had counsel during their eviction proceeding, it may have been discovered that the landlord violated the Consumer Protection Act and lead to the tenant remaining housed. The link between the Consumer Protection Act and access to counsel in eviction proceedings is clear and therefore, access to counsel should have access to money received through settlements, agreements, and judgements relating to the Consumer Protection Act.

SB 279 advances these principles that are consistent with the civil rights of persons with disabilities. Therefore, we encourage a favorable report. Thank you for considering our views.

Please do not hesitate to contact Kane Levings at kanel@disabilityrightsmd.org for any questions.