



HB 176: Courts – Service of Process – Fees Collected by Sheriff
HEARING BEFORE THE HOUSE JUDICIARY COMMITTEE, FEBRUARY 2, 2022 AT 1:00 PM
POSITION: OPPOSE

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide clearinghouse for volunteer 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 identified in areas across the state by piloting innovative pro bono service projects targeting specific legal problems or populations.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the **Tenant Volunteer Lawyer of the Day Program (TVLD Program)** in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented for their proceedings. In September 2021, the TVLD Program received additional funding to expand its services to Baltimore County. PBRC attorneys also work with tenants outside of court to help them avoid evictions by negotiating with landlords, facilitating access to rental assistance funds and advising tenants regarding their legal rights and the eviction process. We frequently advise tenants regarding their ability to “pay and stay” after a warrant of restitution has been entered.

House Bill 176 will raise the fee for obtaining a warrant from the Sheriff from \$40 to \$60, including warrants of restitution in failure-to-pay-rent evictions. Renters must pay this additional warrant fee in order to “pay and stay” and avoid eviction. **Because this increase will fall squarely on the shoulders of renting families who can least afford to pay an additional fee as they try to avoid homelessness, we oppose HB 176.**

Prior to the reduced volume of cases precipitated by COVID-19, sheriffs in Maryland issued over 230,000 warrants of restitution in eviction actions each year. Assuming that warrants return to near pre-pandemic levels, this would result in a fee increase of \$4,600,000 that families would have to pay in order to avoid eviction.

Over 38% of tenants represented by PBRC in FY21 reported an income of less than \$14,999 per year. Most are desperate to stay in their home and do not have an alternate place to live. Putting this fee increase on the backs of tenants such as these will only increase the number of evictions in Maryland. Particularly in the middle of an ongoing pandemic, this fee increase will further destabilize families who are still reeling from the economic effects of COVID-19

PBRC would not oppose a bill that excludes warrants of restitution in eviction cases from the fee increase.

For the above reasons,

PBRC, a member of the Renters United Maryland Coalition, urges an UNFAVORABLE report on HB 176.

Please contact Katie Davis, Director of PBRC’s Courtroom Advocacy Project, with any questions.

kdavis@probonomd.org • 443-703-3049