

**BEYOND THE BOUNDARIES**  
**HB 1050 - Access to Counsel in Evictions – Funding**

**Hearing before the Appropriations Committee on March 7, 2023**

**Position: SUPPORT (FAV)**

---

*Beyond the Boundaries* is an Archdiocese of Baltimore program with members from churches throughout Maryland, advocating and raising awareness of the need for justice and equity in housing. We recognize the need for Catholic organizations to advocate for social justice, especially as it relates to stable and permanent housing—be it rental housing or owner-occupied 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>

Chief among those responsibilities is access to counsel for renters facing evictions. Maryland has endorsed this program and now funding the program is the next step. HB 1050 would begin to take that next step by the \$14 million transfer from the abandoned property fund—to go beyond the current fiscal year.

We seek a favorable report on HB 1050, which would extend beyond Fiscal Year 2024 the annual transfer of \$14 million from the Abandoned Property Fund to the Access to Counsel in Evictions (ACE) Fund. We join the Public Justice Center, Renters United Maryland, and many other groups and organizations dedicated to the success of this program.

**Maryland is a leader in the Right to Counsel movement – becoming only the second state in the nation to recognize the proven, cost-effective benefits of a right to counsel in evictions.** As detailed further in the testimony of the National Coalition for a Civil Right to Counsel: Right to counsel in evictions is a proven, cost-effective model around the country of preventing disruptive displacement in eviction cases. While Maryland’s initial implementation of the law only started about eight months ago and still has a long way to go to reach full implementation, the [ACE Task Force report](#) notes that families have begun obtaining representation and fighting back against eviction.

---

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

<sup>2</sup> See above footnote 1.

**Attorneys working in Access to Counsel for renters facing eviction program have helped families avoid disruptive displacement** including by avoiding eviction, delaying eviction so the tenant has additional time to move, avoiding a loss of a housing subsidy, enforcing a tenant's rights under a lease and more. In many jurisdictions, services are now available both through pre-trial intake with individual providers and through day-of-court intake.

**Access to Counsel in Evictions furthers racial equity.** [Study](#) after study in Maryland and nationally show that persons of color are much more likely to have to face an eviction case. [82% of families behind on the rent in Maryland and facing evictions are headed by persons of color](#). Ensuring that each of those families is represented by legal counsel helps empower those persons to enforce existing legal protections that safeguard due process, prohibit illegal fees, and address unsafe housing conditions.

**A secure baseline of \$14 million per year to fund ACE through HB 1050 is important to address implementation challenges with ACE.** In a tight labor market, legal services organizations have struggled to recruit and retain highly skilled attorneys for ACE implementation. The stable baseline of funding for implementation in HB 1050 would provide assurances to organizations and attorneys who are considering this field that there would be some stability of funding moving forward.

***We understand that \$14 million is not adequate to realize full implementation of ACE. It is estimated that full implementation will cost at least \$30 million, but HB 1050 is a critical starting point.***

*ACE is not a silver bullet to address all housing stability needs.* Increasing the supply of affordable housing, emergency rental assistance, and other economic supports are important as well.

However, in 2021 the state recognized that right to counsel in evictions is a proven, cost-effective tool to enforce the laws already on the books. Secure, stable funding for implementation is critical to the initiative's success.

**We urge the Committee's report of Favorable on HB 1050.**

Charles Michaels, Esq.  
Program Manager  
Beyond the Boundaries

*The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.*

