



HB 1050 - Access to Counsel in Evictions – Funding

Hearing before the Appropriations Committee on March 7, 2023

Position: SUPPORT (FAV)

Chesapeake Physicians for Social Responsibility (CPSR) is statewide evidenced-based, organization of over 900 physicians, other health professionals and supporters, that addresses the existential public health threats: nuclear weapons, the climate crisis, issues of pollution and social and racial justice. As an organization founded by physicians, we understand that prevention is far superior to treatment in reducing costs; death, illness, injury, and suffering.

We seek a favorable report on HB 1050, which would extend beyond FY 24 the annual transfer of \$14 million from the Abandoned Property Fund to the Access to Counsel in Evictions (ACE) Fund.

[Access to Counsel is effective in reducing reduces evictions](#). [Young children exposed to overcrowding](#) and/or multiple moves in one year, were more often reported by their caregivers to have poor health, impaired educational, social or emotional skills, and were measured to have low weight compared to other children. In [older children and adolescents](#), a history of multiple moves has been associated with mental health problems later in life including violence and suicide.

[Homelessness can be deadly](#). The homeless had a 5-10 x higher mortality than the housed with average life expectancy was 53 years on one study. Early in the pandemic, estimates were that [homeless people who became sick with COVID-19](#) were twice as likely to be hospitalized, two to four times as likely to require critical care, and two to three times as likely to die than the general population early in the pandemic. Evictions cause physical illness, mental suffering and

shorten life. Housing is a human right. Housing is a social determinant of health. Housing is health.

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 8 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.

Attorneys working in ACE 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/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. But 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.

Chesapeake Physicians for Social Responsibility is a member of Renters United. **We urge the Committee's report of Favorable on HB 1050.**

Respectfully submitted,

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