



MARYLAND
LEGAL AID

Advancing
Human Rights and
Justice for All

January 27, 2023

Delegate Luke Clippinger
Chair, Judiciary Committee
101 Taylor House Office Building
6 Bladen Street
Annapolis, Maryland 21401

Re: Testimony in Support of House Bill (HB) 102 – Real Property – Actions for Possession – Pet Protections.

Dear Chairperson Clippinger and Members of the Committee:

Thank you for the opportunity to provide testimony on HB 102. Maryland Legal Aid (MLA) is a private, non-profit law firm that provides free legal services to indigent Maryland residents from 12 offices around the state. MLA helps individuals and families in every Maryland county, with many civil legal issues, including housing, consumer, public benefits, and family law matters. MLA often advises and represents low-income clients facing eviction and is familiar with the serious challenges indigent tenants face, particularly those tenants who are pet caretakers/owners.

I have been an MLA attorney for more than 23 years. I specialize in consumer issues including housing preservation. I have seen the value pets bring to those in the low-income community. I have used pet ownership to help indigent individuals and families access resources including legal representation for issues concerning housing/home ownership, benefits, domestic problems, bankruptcy, etc. Recently I represented MLA in a joint research project with Johns Hopkins School of Public Health using MLA data on evictions and data from Baltimore City's open access animal shelter (BARCS). That data was used to chart a path to reducing the risk of homelessness and improving quality of life in the low-income community, through supporting pet ownership.

It is not uncommon for pets to be left behind as a result of an eviction. The vast majority of unrepresented low-income tenants lack the knowledge of or access to resources about tenants' rights and support services that would help avoid or better prepare for an eviction. As a result, tenants facing eviction are left struggling to understand the eviction process, including what will happen to their pets. The eviction process moves quickly and leaves little time for an individual with limited income to plan ahead and locate an affordable place to move, much less an affordable place to move that allows pets. Without this knowledge, a tenant is more likely to become homeless after an eviction. If the tenant facing eviction knows about their local open-access animal shelter and can find and afford transportation to take their pet(s) there, most must face the likelihood that their pet(s) will be euthanized because open access shelters are usually beyond capacity and resort to euthanasia to lower the number of animals in their care. Currently there is no legal requirement that a pet be moved to a safe location after an eviction, nor that any effort be made to help a pet owner who has been evicted, to reunite with

their pet. As a result, those facing eviction often see no alternative except to leave their pet behind and hope for the best.

Homelessness is a public health crisis fed by evictions. However, supporting pet ownership by using it to help low-income individuals access free legal services and other resources that allow them to find stable housing and reunite with their pet, can reduce the risk of homelessness, and improve quality of life. Both stable housing and pet ownership have been shown to lead to better health outcomes for low-income individuals. HB 102 can make better health outcomes even more likely because not only does it help a person maintain the bond with their pet but it puts in place a system where a tenant is provided with important information that can lead to resources for them and their pet, at the time they sign their lease and when there is an eviction. It makes pet ownership a path to possibly reducing the likelihood of homelessness and increasing the amount of assistance a tenant can access to improve their chances of maintaining stable housing. The information that HB 102 requires be provided to a tenant who is a pet owner, and to the shelter where their pet is taken after an eviction, makes pet ownership one more avenue for low-income individuals to access those resources. Once in touch with the animal shelter the evicted tenants have access to a list of supportive services such as free legal assistance, information about “pet friendly” housing, and free resources to support pet ownership.

MLA would ask that you consider two important amendments, each of which would increase the likelihood that pets left behind are kept safe and given a better chance of reuniting with their caretakers and increase the likelihood of low-income pet owners accessing valuable information and resources to improve quality of life for both the pet owner and their pet. These amendments are:

1. Expand the definition of a pet to include not only dogs and cats, but other pets, including but not limited to gerbils, hamsters, rabbits, lizards, and snakes. All types of pets should be kept safe from suffering that can be caused by an eviction.
2. In those cases where the property is returned to the landlord without the use of the judicial process, such as when a tenant’s lease ends or is not renewed, the landlord be required to keep the “fact sheet” on hand and follow the same process that the sheriff, constable, or other officials must follow, including contacting an animal shelter or animal rescue organization to take possession of the pet, providing that entity with the contact information for the caretaker, and if possible providing that caretaker with the contact information for the entity where the pet was taken.

MLA supports HB 102 and asks that this Committee give it a favorable report.

Sincerely,

Donna Bernstein, Esq.
Housing/Consumer Staff Attorney
Legal Aid Bureau, Inc.
500 E. Lexington Street
Baltimore, MD 21202
410-951-7787
dbernstein@mdlaborg