



**MARYLAND
LEGAL AID**

Advancing
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Justice for All**

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04.2019



February 28, 2020

The Honorable Kumar P. Barve
Chairman, Environment and Transportation Committee
House Office Building,
Annapolis, Maryland 21401

RE: Testimony in Support of House Bill 1149 Department of Housing and Community Development-Social Housing Subprogram (Social Housing Act)

Dear Chairperson Barve and Committee Members:

Thank you for the opportunity to testify in support of House Bill 1149, legislation that would create housing which would help to break down the stratification between those renters with different income levels and provide funding to build mixed income housing. Maryland Legal Aid, "Legal Aid," is a private, non-profit organization that provides free legal services to indigent Maryland residents. In our 12 offices around the state, we help individuals and families in every county with a wide array of civil legal issues including housing, consumer, public benefits, and family law matters. We also represent abused and neglected children and provide legal assistance to senior citizens and nursing home residents. This letter serves as notice that Gregory Countess will be testifying on behalf of Legal Aid at the request of Delegate Vaughn Stewart.

The human right to housing is one of the most essential and broadly recognized human rights. It finds strong recognition in International Law, Federal Law, State Law, and case law at all levels.

The Universal Declaration of Human Rights guarantees “the right to a standard of living adequate for the health and well-being of [the individual] and of his[/her] family, including food, clothing, shelter and medical care and necessary social services.” The Universal Declaration of Human Rights, G.A. Res. 217, U.N. GAOR, 3d Sess., pt. 1, U.N. Doc. A/810 (1948) (hereinafter “the Declaration”). One of the basic aspects of the right to housing is that such housing should be affordable. General Comment 4, Committee on Economic, Social and Cultural Rights, U.N. Doc. E/1992/23, ¶6 (1991). HB 1149 would be an important affirmative step in increasing the supply of affordable housing to Maryland renters.

By any measure housing is not affordable for thousands of residents throughout Maryland. Maryland’s housing agency, the Department of Housing and Community Development, is required as a condition for receiving federal housing funds to examine housing affordability and availability every five years in its Consolidated Plan.

The State describes its Consolidated Plan as “a planning tool required by the U.S. Department of Housing and Urban Development (HUD) that guides the use of federal and to a lesser extent state, housing and community development funds.” *See* Department of Housing and Community Development Consolidated Plan, 2015.¹ HUD has established three basis goals for the Consolidated Plan. *Id.* The goals are:

1. To provide decent housing
2. To provide a suitable living environment, and
3. To expand economic opportunities

The state in its plan goes on to say goal number one “includes assisting homeless persons to obtain housing that is affordable, retaining the affordable housing stock, increasing availability of permanent housing that is affordable to low-income Americans without discrimination....” *Id.* The State determined it would seek to increase the affordability of rental housing. The State has determined that almost 100, 000 families in

¹<https://dhcd.maryland.gov/Documents/Consolidated%20Plan/Consolidated%20Plan%202015.pdf>

Maryland are paying more than 30% of their income for rent (the state's study does not include the statistics of the largest jurisdictions in the state). *Id.* HUD guidance states that a family which pays over thirty per cent of its income for housing is housing cost burdened.

Montgomery County is among five jurisdictions in the state with the highest rents. *See*, Montgomery County Five-Year Consolidated Plan for Housing and Community Development County Fiscal Years 2016-2020.² Rents in Montgomery County for a one-bedroom unit are nearly 25% higher than the rents for one bedrooms in the jurisdictions with the next highest rents. *Id.* Montgomery County, like the State, receives federal housing funds and must also produce a Consolidated Plan. *Id.* Its most recent Consolidated Plan states that a family would have to have an income of \$58,760 a year in order to afford a two-bedroom unit in Montgomery County at rent of \$1,469 per month. *Id.* It notes "in contrast an extremely very-low income household earning \$32,100 annually can only afford to pay no-more than \$803 in rent per month". *Id.* Montgomery County's Consolidated Plan also states that 19,284 families in the county are paying more than 50% of their income for rent. *Id.* Montgomery County has calculated that 68,041 households or 50.6% of the renters in its County pay more than 30% of their income for rent. Montgomery County has identified the housing cost burden as the most common housing problem in the county. *Id.*

According to Harford County's consolidated plan the most common housing problem is lack of affordable housing. The same is true in Anne Arundel County which has a rental housing affordability gap of 8,923 units. In an analysis it has prepared for its most recent consolidated plan its researchers said the shortage of affordable housing units is difficult to address as the market is not adding enough product. In Prince George's County the circumstances for African American households is just as bleak, 78,222 households are burdened by the cost of their rental housing.

²https://montgomerycountymd.gov/DHCA/Resources/Files/community/grants/consolidated_plan/Montgomery_County_Consolidated_Plan_CFY16-20.pdf

The Brookings Institute says in a recent report that the housing crisis has many cost to families. Households who are cost burdened by rent may skimp on other necessities, such as food, health care and transportation. Unexpected expenses or declines in income increase the likelihood of eviction and the stress caused by financial constraints and housing instability reduces people's ability to make good decisions and can harm children's and adults' physical and emotional health.³

The increase in funding made possible by HB 1149 helps to alleviate this problem while also tackling the persistent harm caused by past policy choices made by policy makers in this state and in the federal government that reverberate today.

According to Richard Rothstein in his ground breaking book "The Color of Law" "racial segregation in housing was not merely a project of southerners in the former slaveholding Confederacy" but was the result of "scores of racially explicit laws, regulations and government practices combined to create a nationwide system of urban ghettos surrounded by white suburbs".⁴

Places matter as a study from Harvard University (Chetty and Hendren 2015) demonstrates. Economists who studied children who moved from "worse" to "better" neighborhoods found that kids who grew up in better neighborhoods earned more as adults when compared to kids who didn't move or who moved to a worse neighborhood. The study showed that the effect grew over time and the research suggest that housing policies that support economic integration will lead to better economic outcomes for children.⁵

These are the issues that HB 1149 seeks to address. Our clients throughout the state have to deal with the pernicious policy choices of the past. The lack of affordable housing and the concentrations of poverty in communities throughout the state are the result of too few resources directed to building affordable housing and the ills created by placing too much of that housing in poor communities.

³ <https://www.brookings.edu/blog/the-avenue/2017/12/19/is-the-rent-too-damn-high-or-are-incomes-too-low/>

⁴ The Color of Law by Richard Rothstein page XII (2017).

⁵ <https://shelterforce.org/2016/05/04/the-challenges-of-economic-integration/>

For the above reasons, Maryland Legal Aid respectfully requests that you give H.B.
1149 a favorable report.

Sincerely



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