



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

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February 19, 2021

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

**RE: Department of Housing and Community Development –
Partnership Rental Housing Program –Alterations (Mixed–
Income Housing Act of 2021); Testimony in Support of
House Bill 1090**

Dear Chairperson Barve and Committee Members:

Thank you for the opportunity to testify in support of House Bill 1090, legislation that would create housing to break down the stratification between those renters with different income levels and provide funding to build mixed income housing. Maryland Legal Aid, “MLA,” is a private, non-profit organization that provides free legal services to indigent Maryland residents. In MLA’s 12 offices, advocates help individuals and families in every county with a wide array of civil legal issues including housing, consumer, public benefits, and family law matters. MLA staff 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 MLA at the request of Delegate Vaughn Stewart.

The human right to housing is one of the most essential and broadly recognized human rights. 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 1090 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 to examine housing affordability and availability every five years in its Consolidated Plan, as a condition for receiving federal housing funds.

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.

Id.

The state’s plan articulates that 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 277, 965 families in Maryland are paying more than 30% of their income for rent (the state’s study does not include the

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

statics 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 burdened. 147,470 of those families are paying more than 50% of their income in rent. (CITE, *Id.*?)

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.* The State's most recent approved 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.* The plan 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 prepared for the most recent consolidated plan, 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 are just as bleak; as 77,824 households are burdened by the cost of their housing.

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

The Brookings Institute recently reported that the housing crisis has extensive costs 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. The stress caused by financial constraints and housing instability reduces people's ability to make good decisions, which can harm children's and adults' physical and emotional health.³

The increase in funding made possible by HB 1090 helps to alleviate this problem, while also tackling the persistent harm caused by policy choices in state and federal government that reverberate today.

Place matters; as a study from Harvard University 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.⁴

For these reasons, Maryland Legal Aid urges a favorable report on HB 1090.

/s/ Gregory Countess

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

⁴ http://www.equality-of-opportunity.org/images/mto_paper.pdf