



TESTIMONY IN SUPPORT OF SB 454

Real Property- Alterations in Actions for Repossession and Establishment of Eviction Diversion Program

Senate Judicial Proceedings Committee

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Submitted by Stacey Jefferson and Julia Gross, Co-Chairs

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Marylanders Against Poverty

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Marylanders Against Poverty (MAP) strongly supports SB 454, which establishes an eviction diversion program that will create natural breaks in the eviction process to allow opportunities for landlords and tenants to create agreements that will significantly reduce the number of disruptive and destabilizing evictions in Maryland.

The pandemic has highlighted the dire lack of affordable housing in Maryland, and struggling households are burdened with past due rent payments and eviction proceedings. Policies such as those suggested in SB 454 can fix long standing flaws in the eviction process that increase the burden to families and lead to homelessness.

SB 454 would establish a pre-trial status conference that would assist in presenting valid defenses and would reduce homelessness. According to a report issued by Stout Risius Ross, LLC (hereinafter "the Stout Report"), eighty percent (80%) of tenants in Baltimore City had a valid legal defense to a nonpayment of rent complaint filed against them, such as unsafe conditions or a landlord's failure to license their property, but only eight percent (8%) of tenants were able to successfully raise such a defense without legal counsel.¹ Under current law, tenants are only guaranteed one opportunity to present valid legal defenses to the court, defenses they may not know even exist or apply to them. This bill would require landlords and tenants to first appear in court for a status conference—a hearing where no judgment would be entered - where the tenant could present any information, they have about potential defenses. Additionally, since the tenant would have received the required pre-filing notice with information about legal representation, the tenant could either have counsel present or have the opportunity to request a continuance to engage counsel. It would also give the courts the opportunity to engage with tenants to determine if they are eligible for rental assistance or other beneficial services before trial. Evictions cause homelessness; according to the Baltimore City Point in Time (PIT) Count from January 2020, twenty percent (20%) of homeless individuals interviewed were homeless because of eviction.² Creating a pre-trial status conference would reduce the number of evictions and disruptive displacement in Maryland. SB 454 is an important homelessness prevention measure.

For these reasons, MAP strongly urges a FAVORABLE report on SB 454 and appreciates your consideration.

Marylanders Against Poverty (MAP) is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.

¹ Stout Risius Ross LLC, The Impact of an Eviction Right to Counsel in Baltimore City, available at <https://bmoreentersunited.org/rtc/stoutreport/>.

² Baltimore City Continuum of Care, 2020 Point-in-Time (PIT) Count Report, available at https://drive.google.com/file/d/197okMLOAT9BZXYNuxjSI_DXeVmNPnKcc/view.