



## **HB 18 – Landlord and Tenant – Eviction Action – Right to Counsel**

The Chesapeake Physicians for Social Responsibility (CPSR) is statewide evidenced-based, organization of over 700 physicians, other health professionals and supporters, that addresses the existential public health threats to life on this planet: the climate crisis and the presence of nuclear weapons, we advocate for public policy that addresses these threats informed through the lens of racial justice and equity. As an organization founded by physicians, we understand that prevention is far superior to treatment in reducing costs; death, illness, injury, and suffering. We are writing in support of HB 18.

HB18 establishes a right to legal representation for individuals meeting specified qualifications (“covered individuals”) in specified landlord-tenant proceedings. To facilitate this right, the bill establishes a coordinator within the Office of the Attorney General (OAG) whose purpose is to organize and direct services and resources to designated organizations in order to provide all covered individuals with access to legal representation. The bill also establishes (1) a Right to Counsel in Evictions Task Force and (2) a Right to Counsel in Evictions Fund, which is a special fund to be administered by the coordinator for the purpose of providing funding to fully implement a civil right to legal representation in evictions and other related proceedings in the State. The right to legal representation established by the bill must be phased in over time as determined appropriate by the coordinator, in consultation with the task force, and be fully implemented before October 1, 2025.

Chesapeake PSR supports the right to counsel because Chesapeake PSR supports evidenced based measures that reduce evictions. We do this because evictions cause harm to physical, mental health and increase mortality.

[Evidence for the effectiveness of right to counsel](#) the first two years of New York City’s RTC’s five-year phase-in, 84% of the tenants who had a lawyer were not evicted. And in zip codes where right to counsel were implemented in 2017, evictions were reduced 29%. Evictions have been reduced by 41% since 2013, funding started for right to counsel. In 2019 alone, evictions in NYC were down 15%. For eviction cases in Baltimore [only 1%](#) of tenants have representation.

[Evictions cause](#) a significant and lasting increase in homelessness, and an increase use of emergency rooms, mental health problems. and mortality. Those brought before courts for eviction are disproportionately black. A study in Massachusetts before the pandemic found the [mortality rate](#) of the unsheltered was 10 x the mortality rate of statewide housed populations. [Low-income women of color are the highest risk population](#). In an [Abell foundation study](#) in Baltimore rent court, of 300 people surveyed, an astounding 94% of those interviewed were black, 79% women and 65% lived with children.

Even without this pandemic, housing is health. Inadequate housing is associated with chronic asthma, is dangerous for children 's development especially for those under 5. [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 have a 5-10 x higher mortality than the housed with average life expectancy was 53 years on one study. And this is before the Covid-19.

Housing the homeless and providing health care is [cost effective](#) based on a study in Massachusetts that preceded Covid-19.

Estimates are that [homeless people who become sick with COVID-19](#) are 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.

An investigation [by The Baltimore Sun](#) has found that rent court works against tenants, often failing to hold landlords accountable even when the housing in question is uninhabitable. Public policy ideally should promote public health but for rent court, the policies in place do the opposite. They have promoted physical and mental ill health, increased mortality, loss of years of life for those who are victims too often black and low income. This was before Covid-19 and housing insecurity likely contributes to the higher mortality for black and brown in this pandemic. Rent court was long overdue for major revisions that align with racial justice and equity. Covid-19 has highlighted that need. Providing counsel will help restore justice to renters.

From October to November 2020, 1,110 Maryland families were evicted (out of 4,400 heard) just as the pandemic was resurging. Could there be a starker example of bad governance impacting public health. The evidence supports the policy of Providing counsel to tenants facing eviction as a means of reducing evictions. If providing housing and healthcare in normal times saves money and lives, it is more important than ever to prevent evictions during a pandemic and with record unemployment.

For these reasons, the Chesapeake Physicians for Social Responsibility urges a FAVORABLE REPORT for HB18.

Gwen L. DuBois MD, MPH, President  
gdubois@jhsph.edu  
Chesapeake Physicians for Social Responsibility (CPSR)