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TESTIMONY IN SUPPORT OF HB52/SB454

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

TO: Chair Clippinger, Vice Chair Atterbearly, and members of the Judiciary Committee

FROM: Claire Landers, on behalf of Jews United for Justice (JUFJ)

My name is Claire Landers. I am a resident of Baltimore County, in District 11. I am submitting this testimony on behalf of Jews United for Justice in support of HB52/SB454, Real Property – Alterations in Actions for Repossession and Establishment of Eviction Diversion Program. JUFJ organizes more than 5,500 Jewish Marylanders and allies in support of local and state campaigns for social, racial, and economic justice.

Jewish tradition tells us that all people should have *dei machsoro*, resources sufficient for each person’s needs. (Deut. 15:7-8) As such, society has an obligation to ensure that people stay in their homes, especially during times of emergency.

In 2015, I volunteered in Baltimore City Rent Court as part of The Abell Foundation study conducted by the Public Justice Center (PJC) and Right to Housing Alliance. One afternoon in the lobby of Rent Court, another volunteer and I spoke with a renter who was there to defend herself from eviction after enduring a long-standing dispute with her landlord. The circumstances of her experience in this apartment were mind-boggling and the photographs of the uninhabitable conditions of disrepair were horrific. Ultimately, the story of this woman, identified as “Denise”, was included in the in-depth report Justice Denied: How Renters are Processed in Baltimore City Rent Court. I spent hours in Rent Court speaking with tenants about their experiences and observing the proceedings. What I saw and heard has never left me and so I share it with you, our legislators who have the power to bring justice to a broken system.

In the many evictions hearings I watched, I remember tenants trying to make their case by explaining to the judge why they were withholding rent and the nature of on-going disputes with their landlords. More than one renter attempted to present evidence of disrepair, mold, rodent infestation or other problems with photos or paperwork; repeatedly these same individuals were informed by the judge that “today’s proceeding is not about evidence” nor the opportunity for them to litigate their treatment by landlords. They were instructed the procedure was limited to deciding the question of whether or not they had paid the rent and, if not, would they be prepared to pay it immediately to prevent an order for eviction. I can only remember one or maybe two tenants represented by an attorney. On the other hand, the landlords were represented by private attorneys or “agents,” or had the benefit of their own significant professional experience filing previous cases in Rent Court. The judge often sent renters back into the lobby area “to negotiate” with the landlord, the agent or attorney: in those instances, clearly the power imbalance ensured renters would be held over a barrel to agree to terms that favored the landlord’s interests.

The taxpayer-funded District Court provides a service to landlords - processing their filings and utilizing the Sheriff’s services in carrying out evictions. What service does the process provide for renters and to the public? It should provide equal protection to renters and serve to prevent unjust evictions, which have a steep cost to state and local governments. Unfortunately, the current system fails to do so.

Sitting in Rent Court was eye-opening for me as a middle-aged, white woman from Pikesville: I did not see Rent Court functioning in the way we believe American courtrooms are supposed to operate - especially when a legal proceeding will result in the most dire consequences for one party: that is, losing the roof over their head. As an observer, it appeared to me that court findings against a tenant became a foregone conclusion and that evictions were processed with less due process and mercy than speeding violations in traffic courts. I left with the impression that Rent Court was an eviction processing center unworthy of the judges and court administrators and all of us who believe in fundamentally fair and equal justice rendered by our courts.

It is therefore heartening to see HB52/SB454 come before you. This legislation will make much needed changes to our state’s eviction process to be more equitable, prevent evictions, and keep people in their homes. This includes reforming court procedures to include an Eviction Diversion Program and providing formal time for tenants to prepare their defence when a trial is

necessary, and giving judges discretionary power to stay evictions under emergency circumstances. All of these changes will help ensure that there is greater fairness and equity within Maryland's rent court system.

Additionally, I ask you to remember that the covid pandemic has disproportionately imposed extreme economic pressures on Black, brown and immigrant individuals and families: these communities have most intensely experienced difficulties around plunging household incomes, accessing unemployment support, expensive healthcare crises, and even loss of life. When the covid-era eviction protections are lifted, rent court proceedings will resume and mass evictions will result. The damaging impact of that will be felt throughout Maryland, likely for years to come.

HB52/SB454 has the potential to reduce the long-term havoc this pandemic will inflict on all of us in Maryland. **On behalf of JUFJ, I respectfully urge you to support HB52/SB454 with a favorable report.**