

DATE: February 17, 2021
BILL NO.: House Bill 1312
COMMITTEE: House Judiciary Committee
House Environment and Transportation Committee
TITLE: COVID-19 Eviction and Housing Relief Act of 2021
SPONSORS: Del. Wilkins

Letter of Information

Description of Bill:

House Bill 1312 provides that the Maryland Department of Housing and Community Development: 1) is required to collect, maintain, and post eviction information from Sheriffs and the judiciary, 2) operate a newly created “Maryland Rent Relief Fund,” and 3) is required to compile and post documents to advise tenants of their rights and provide them with legal advice.

Background and Analysis:

In general, we believe the data requirements of this bill to be duplicative of work already being done by various state agencies. It is the understanding of the Department that the requested information on evictions is already gathered by the Maryland Courts system and made publicly available. In addition, while this bill would mandate that local sheriffs provide certain information to the Department, DHCD is not a regulatory agency and has no means of enforcing noncompliance with such a mandate.

Further, the Consumer Protection Division of the Office of the Attorney General already makes publicly available a document describing the rights and obligations of landlords and tenants, how to avoid disputes, what to do should a dispute arise, and where persons of limited income may seek free legal services, among other helpful tips. The Consumer Protection Division also offers FAQs, a consumer complaint portal, and links to other resources, including local consumer protection offices and legal aid.

The Department of Housing and Community Development cannot offer legal advice to Marylanders, including how a court may interpret whether someone meets the qualifications of various protections that may be available to them under certain circumstances, but we have posted a description and links to the Governor’s various executive orders providing protections to Marylanders financially impacted by the ongoing pandemic. In our normal course of business, the Department directly funds providers of housing counseling and legal services, and has made contact information for those services available on our website. In response to the pandemic, funding for those organizations has been significantly increased through both State and federal funds.

With regard to the Maryland Rent Relief Fund established by this bill, the purposes and methods appear to be in line with similar programs operated by the agency. We would only comment that, if enacted, this legislation should specify that the Department may use funding allocated to this program to support the operations of the program.