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## **JUDICIAL PROCEEDINGS COMMITTEE**

**February 17, 2021**

### **HB 52 – Real Property - Alterations in Actions for Repossession and Establishment of Eviction Diversion Program**

#### **Position: SUPPORT**

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the Protection & Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to fully participate in their communities and live in safe, decent, secure, affordable and accessible housing.

Thank you for the opportunity to comment on HB 52. For many Marylanders, and especially for the communities of Marylanders with disabilities this bill could prevent unnecessary evictions and prevent significant negative public health outcomes that will occur due to the mass evictions Maryland faces due to the COVID 19 pandemic. Currently, it is estimated that between 25% and 39% of all renting Maryland households are facing potential eviction during the pandemic.<sup>1</sup> Aiding renters now in Court proceedings will help stem this pending onslaught of evictions and public health disaster.

Specifically, this bill requires that landlords attempt to resolve a dispute with a tenant prior to filing in Court and provide a more expansive notice with clear language to be provided to tenants, so that the tenants may understand what is allegedly owed before filing in Court. This would provide a lifeline for Marylanders who otherwise may not understand the legal proceedings and will now have the opportunity to mediate with their landlords before a landlord can file in Court demanding the tenants lose their homes. This gives Marylanders who are facing eviction the opportunity to try and work out an agreement with their landlord that will allow them to remain in their homes.

The prioritization of Rental Assistance under this bill is also vital to preventing homelessness by giving access to Marylanders with Disabilities who may not have been able to work during the COVID 19 pandemic without placing their

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<sup>1</sup> Aspen Institute, [The COVID-19 Eviction Crisis: An Estimated 30-40 Million People in America Are at Risk](https://www.aspeninstitute.org/blog-posts/the-covid-19-eviction-crisis-an-estimated-30-40-million-people-in-america-are-at-risk/) (Aug. 2020) <https://www.aspeninstitute.org/blog-posts/the-covid-19-eviction-crisis-an-estimated-30-40-million-people-in-america-are-at-risk/>

health in jeopardy. Instead of allowing Failure to Pay Rent court to act as a rubber stamp for evictions- even evictions with low amounts in controversy, this bill gives renters a meaningful opportunity to try and stay in their homes before being forced out by the Court. This also benefits landlords who will be able to retain otherwise paying tenants in their homes and not lose money by having to find new occupants.

This bill is of special importance to people with disabilities, who have historically been forced into institutional settings, including state hospitals, nursing homes, and the criminal justice system.<sup>2</sup> This history contributes to persons with disabilities facing numerous and substantial barriers to fair and affordable housing from both the private and public housing sectors. According to a 2017 survey by Cornell, 42.6% of Marylanders with disabilities between the ages of 21-64 were employed, compared to 82.4% of Marylanders without disabilities.<sup>3</sup> People with disabilities living in poverty are disproportionately represented among all people experiencing homelessness and, according to point-in-time (PIT) counts conducted in January 2017 by communities across the country, it is estimated that on any given day nearly one-quarter (24%) of individuals experiencing homelessness (86,962 of 369,081 individuals) are people with disabilities who met the federal definition of experiencing chronic homelessness.<sup>4</sup> Needless to say, these numbers have increased in the last year.

This bill helps individuals with disabilities to meaningfully live in their communities and out of institutions by providing an alternative before going to Court in order to keep people in their homes.

For all of these reasons, DRM urges a favorable report on HB 52. Thank you for considering our views. Please do not hesitate to contact Cory Warren at 410-727-6352, ext. 2472 or by e-mail at [Cwarren@disabilityrightsmd.org](mailto:Cwarren@disabilityrightsmd.org).

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<sup>2</sup> K. C. Lakin, S. Larson, P. Salmi, and A. Webster (2010). *Residential Services for Persons with Developmental Disabilities: Status and Trends through 2009*, University of Minnesota, <http://rtc.umn.edu/docs/risp2009.pdf>

<sup>3</sup> Cornell University, *Disability Status Report, United States* (2017)

<sup>4</sup> *The 2017 Annual Homeless Assessment Report (AHAR)*, U.S. Department of Housing and Urban Development. (2017)