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February 15, 2021

Committee Chair Delegate Luke Clippinger
Committee Vice-Chair Delegate Vanessa E. Atterbeary
Judiciary Committee
Room 101
House Office Building
Annapolis, Maryland 21401

RE: Support for House Bill 729, Landlord and Tenant - Eviction Actions - Filing Surcharge and Prohibited Lease Provisions

Position: Favorable

Dear Committee Members:

Thank you for the opportunity to present testimony on behalf of the Baltimore Regional Housing Partnership (BRHP) in support of House Bill 729 to set a reasonable surcharge for eviction filings. We encourage the committee to submit a favorable report.

BRHP is a nonprofit organization that operates the Baltimore Housing Mobility Program for thousands of families throughout the Baltimore region. Our mission is to expand housing choices for families with low incomes who have historically been excluded from housing in well-resourced neighborhoods, helping them to access and transition successfully to safe, healthy, and economically vibrant communities. We do this by providing rental assistance in the form of the Housing Choice Voucher and coupling that with counseling supports for our families as they move from areas of concentrated poverty to areas of opportunity in Baltimore City and the five surrounding counties.

We do everything in our power to keep families from ending up in rent court, because we know how disruptive it can be. Many of our families struggle to take time off work and find childcare. Just getting to court can be an insurmountable challenge. The barriers for a landlord to file for Failure to Pay Rent, Breach of Lease, or Tenant Holding Over are absurdly low by comparison. When an eviction takes place, families' lives and children's schooling are thrown into disarray. In most cases, we can find a solution that makes both parties whole and avoids harmful evictions.

Taking a tenant to rent court should be a last resort and should cost more than the current nominal cost. Under the current statute, the surcharge for a summary ejectment filing is \$15. Compare that to the \$36 that Maryland renters are required to pay for a rent escrow filing, or to the national average fee of \$120 for a summary ejectment filing. Many landlords find it



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profitable to frequently file for evictions. Reforming the surcharges schedule is an uncomplicated and responsible way to fix that.

Additionally, the Maryland Legal Services Corporation (MLSC) Fund needs a dedicated revenue source, particularly given the projected \$10 million loss for the current fiscal year and no opportunity to recover it¹. Each eviction filing imposes a cost for MLSC and it makes sense for this cost to be offset by the petitioner. The MLSC is the appropriate repository for revenue from these surcharges as its activities are crucial to providing counsel to renters and thereby preventing displacement. Of the various bills competing to increase eviction filing fees this session, this one is the most responsible.

BRHP encourages the committee to file a favorable report on House Bill 729.

Sincerely,

A handwritten signature in black ink that reads "Adria Crutchfield".

Adria Crutchfield
Executive Director
Baltimore Regional Housing Partnership

¹ [Md. legal safety net program faces funding crunch as needs mount | WTOP](#)