

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: House Bill 52 Real Property – Alterations in Actions for Repossession and Establishment of Eviction Diversion Program
Position: Support

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 52 to improve the eviction filing process and establish an Eviction Diversion Program. We encourage the committee to submit a favorable report.

BRHP is a nonprofit organization that operates the Baltimore Housing Mobility Program (BHMP) 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.

One of the important functions counselors at BRHP perform is mediation of Landlord/Tenant disputes. We work hard to ensure continuity of housing for many reasons, principally to prevent disruption to children's academic and social development¹. In part because of the work of our counseling department, eviction filings against BHMP participants are extremely rare. In almost every case, it is possible to come to a resolution that satisfies both parties and keeps the family in their home. These services should be available to *all* Maryland renters facing the threat of eviction. Disruptive displacement should be a last resort, and not only during a state of emergency.

House Bill 52 will improve the filing process from beginning to end. It will require that the landlords who wish to file for eviction first notify tenants of how much is past due in rent and late fees (not including utilities) from which months. It will also require that they provide an itemized ledger and a request that the tenant apply for rental assistance or negotiate an alternative payment plan. These measures will give the tenant the opportunity to repay past due amounts and correct errors in the ledger before going to court. Providing courses of action for resolution prior to filing could decrease the number of filings, relieving the district courts of a significant administrative burden, and eliminating the need for costly legal representation for both parties.

If these requirements are met without coming to a resolution and the landlord still wishes to file, the first step established by HB 52 will be a Status Conference. The important benefit of this step is the provision of

¹ [HMM Brief - Is Moving During Childhood Harmful 2.pdf \(macfound.org\)](#)

access to legal and mediation services at rent court. Some District Courts have volunteer lawyer programs funded by the Maryland Legal Services Corporation, wherein renters can access counsel immediately before their hearing. This is immensely valuable for renters who have not been able to find counsel before the hearing, which can be very soon after notice is delivered. Many renters could raise a successful defense based on lease violations, code violations, or errors with the landlord's filing. However, those without counsel rarely do so. Expanding these programs to all district courts hearing summary ejectment cases and staffing them sufficiently to provide representation for every case, is necessary for renters to have a fair shake.

Mediation services are also currently available at rent court and are often successful at preventing evictions. The provision of these services at the Status Conference will increase their utilization and make alternative resolutions more common. The Status Conference will also ensure that renters have an opportunity to request a continuance so that they have time to seek counsel. In most types of civil cases, the court has discretion to grant a continuance at the request of either party, but this is a rarity in rent court despite the frequent need for more time to seek counsel.

Unnecessary evictions have disparate impacts in that they reflect and amplify the social inequalities among renter households. In Milwaukee, for example, 30 percent of evicted tenants are Black women, although they comprise only 9.6 percent of the city population². The disparate impacts of displacement lead to de jure housing discrimination when evictions appear on tenant screenings.

House Bill 52, in addition to being socially responsible, is fiscally prudent. A recent Abell Foundation report conservatively estimated the cost of disruptive displacement at \$17.5 million³. Preventing unnecessary evictions will recover this cost. This does not include the likely positive externalities of the Eviction Diversion Program. Many landlords habitually evict people despite maintaining units that would not meet health and quality standards. Eviction is part of a profitable business model for certain property owners, but this model is seriously detrimental to the value of homes throughout the state. An Eviction Diversion Program, by making displacement much less likely, would effectively strengthen compliance with local and state housing code. Preventing displacement encourages landlords to adopt a business model centered on long-term improvements rather than maintenance of substandard conditions. An investment in housing stability for renters is an investment in community development for the state.

Improving the eviction filing process and establishing an effective Eviction Diversion Program will bring greater equity to the state and help to reverse the disparate impact evictions have throughout the state. The Baltimore Regional Housing Partnership encourages the Committee to submit a favorable report on House Bill 52.

Sincerely,



Adria Crutchfield
Executive Director

²https://www.macfound.org/media/files/HHM_Research_Brief_Poor_Black_Women_Are_Evicted_at_Alarming_Rates.pdf

¹ <http://bmorerentersunited.org/rtc/stoutreport/>

³ [Baltimore RTC Report FINAL 5 8 2020.pdf \(abell.org\)](#)