

**Disability Rights Maryland**

Housing Judiciary Committee

February 17, 2021

**HB 18 –Landlord-Tenant-Eviction Action-Right to Counsel**

POSITION: SUPPORT

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

DRM **supports** HB 18 to provide representation to Maryland residents facing eviction from housing.

People with disabilities live in poverty at more than twice the rate of people without disabilities,<sup>1</sup> thereby facing greater rental burdens than their non-disabled peers. Additionally, for persons with disabilities who do not participate in the work-force and survive only on monthly SSI payments \$783,<sup>2</sup> the average cost of a one-bedroom apartment not including utilities is \$1,223 is beyond most of their reach.<sup>3</sup> The consequence is that persons with disabilities are more likely to participate in rental arrangements that may be more informal without sophisticated actors and therefore be more prone to violations of the law. HB 18 protects the rights of renters with disabilities by guaranteeing a right to counsel in eviction proceedings, and protecting their rights.

There is also a need for legal representation persons with disabilities who participate in more subsidized housing programs. DRM provides representation to persons facing eviction because of disability related reasons. In many of these instances, evictions will result in long-term homelessness, institutionalization, or incarceration. For example, DRM represented a client who was facing eviction resulting from allegations of hoarding. During our representation it appeared the client had early dementia that could be ameliorated with medication and appropriate supports from family. DRM coordinated appropriate support services and developed a plan to clean the unit ensure future compliance with lease terms with assistance from family and neighbors. Without DRM representation, the client would have been evicted and likely ended up in a costly facility. As explained by a report from Stout, the savings to the State in Baltimore City alone for providing legal representation in these and similar cases is \$10.7 million.<sup>4</sup>

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<sup>1</sup> National Council on Disability, *National Disability Policy: A Progress Report* (October 26, 2017)

<sup>2</sup> *Priced Out: The 2020 Edition*, Technical Assistance Collaborative (2020), <http://www.tacinc.org/knowledge-resources/priced-out-v2/>.

<sup>3</sup> *Out of Reach 2020: Maryland*, National Low Income Housing Coalition (2020), [https://reports.nlihc.org/sites/default/files/oor/OOR\\_BOOK\\_2020.pdf?utm\\_source=NLIHC+All+Subscribers&utm\\_campaign=c50650487d-OOR\\_Update\\_071320&utm\\_medium=email&utm\\_term=0\\_e090383b5e-c50650487d-293263629&ct=t\(OOR\\_Update\\_071320\)](https://reports.nlihc.org/sites/default/files/oor/OOR_BOOK_2020.pdf?utm_source=NLIHC+All+Subscribers&utm_campaign=c50650487d-OOR_Update_071320&utm_medium=email&utm_term=0_e090383b5e-c50650487d-293263629&ct=t(OOR_Update_071320)).

<sup>4</sup> *The Economic Impact of an Eviction – Right to Counsel in Baltimore City*, Stout Risius Ross, LLC (2020), [https://abell.org/sites/default/files/files/Baltimore%20RTC%20Report\\_FINAL\\_5\\_8\\_2020.pdf](https://abell.org/sites/default/files/files/Baltimore%20RTC%20Report_FINAL_5_8_2020.pdf)



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Even when the termination of a tenancy may be the end result in a case, DRM legal services are essential to ensure a non-disruptive displacement. For example, DRM was asked by the District Court of Maryland to represent a tenant and her son with significant intellectual disabilities who were facing an eviction after the tenant had fallen too far into arrears after losing her voucher and had utilities shut off. DRM provided full representation to the tenant, helping the client obtain a new housing choice voucher and achieving a payment plan to have utilities restored. Ultimately, the client was able to move. Without our representation the family would have been homeless.

For all of these reasons, DRM urges a **favorable** report on HB 18.

Please do not hesitate to contact me with any questions.

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