



Maryland Consumer Rights Coalition

Testimony to the House Judiciary Committee
HB 1008: Failure to Pay Rent Proceedings – Sealing of Court Records
Position: Favorable

February 17, 2021

The Honorable Luke Clippinger, Chair
House Judiciary Committee
House Office Building, Room 101
Annapolis, Maryland 21401
cc: Members, House Judiciary Committee

Honorable Chair Clippinger and Members of the Committee:

The Maryland Consumer Rights Coalition (MCRC) is a statewide coalition of individuals and organizations that advances economic rights and financial inclusion for Maryland consumers through research, education, direct service, and advocacy. Our 8,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

We are writing today in support of HB 1008.

HB 1008 would allow for the sealing of eviction records in failure to pay rent cases. For many tenants, having an eviction on their record – even if the case was ultimately dismissed or the court ruled in the tenant’s favor - will adversely affect their ability to rent another property or access affordable housing opportunities in the future. The prevalence of nonpayment of rent filings in Maryland, which are often used as a debt collection tool in Maryland, makes the threat of losing out on housing opportunities based on failure to pay rent filings very real for many tenants.

Even with COVID-19 legal protections, over 2,500 renter families were evicted in Maryland in the past nine months. MCRC’s Tenant Advocacy program empowers tenants to advocate for themselves by providing information about housing rights and responsibilities, legal information, mediation, and referrals to other nonprofits and legal services. The requests we have received for assistance with eviction have skyrocketed by 1086% since the beginning of the pandemic. COVID-19 has exponentially increased the housing insecurity impacting Maryland tenants.

In 2020, our Tenant Advocacy program received a total of 939 complaints from Maryland residents statewide. Of those 939, 512 were related to eviction, and all but four were received after the Governor’s emergency order was signed in March. The bill would ensure that if a case filed against a tenant where the tenant prevailed or a dismissal was entered, or if the tenant exercised the right of redemption (“pay to stay”), then the record will not be held against a tenant in their efforts to find housing in the future. This is change to the eviction process is long overdue, as most families affected by



Maryland Consumer Rights Coalition

eviction and the lack of affordable housing are non-white households. Only 17% of our 512 tenants who needed assistance with eviction in 2020 were white.

In a 2015 survey conducted by the Public Justice Center, ninety four percent (94%) of participant tenants who appeared for rent court in Baltimore City identified as African-American or Black, and eighty percent (80%) identified as women.¹ Shielding and sealing records are a powerful solution that work together to mitigate the harm of evictions and ensure that tenants are able to secure alternate housing and avoid homelessness.

Maryland should join the nationwide movement pushing for the shielding and sealing of eviction records. Since 2019, Massachusetts, Colorado, Nevada, and the District of Columbia have all proposed legislation to seal eviction records. Maryland should join these jurisdictions in recognizing that sealing and shielding records is not only a matter of protecting tenants' rights, but also an issue of racial justice.

For all these reasons, we support HB 1008 and ask for a favorable report.

Best,

Isadora Stern
Economic & Tenants' Rights Organizer
Maryland Consumer Rights Coalition

¹ <https://abell.org/sites/default/files/files/cd-justicediverted216.pdf>