



Testimony in SUPPORT of House Bill 729: Landlord and Tenant - Eviction Actions - Filing Surcharge and Prohibited Lease Provisions

Mary Bradford on behalf of Beyond the Boundaries

Position: FAVORABLE

Beyond the Boundaries is an Archdiocese of Baltimore program with members from churches throughout Maryland. We recognize the need for Catholic organizations to advocate for social justice, especially as it relates to stable and permanent housing. The United States Conference of Catholic Bishops has repeatedly stated that to effectively love our neighbor, we must care for the conditions in which they live, and we must acknowledge decent housing as a human right.¹ “Since decent housing is a human right, its provision involves a public responsibility.”² Such public responsibility includes providing Maryland tenants an eviction process that promotes amicable resolution to housing disputes, and ultimately promotes housing stability. HB 729 achieves these goals. Therefore, we urge the committee to vote favorably.

Maryland is in a housing crisis, and there is a tsunami of evictions on the horizon after the eviction protections are lifted.³ As a result of the COVID-19 pandemic, an estimated 109-204,000 Maryland households were at risk of eviction at the end of 2020.⁴ Meanwhile, 41 percent of Maryland renter households, pre-pandemic, were cost-burdened, meaning they paid 35% or more of their income for housing costs. In FY 2019, there were 669,778 eviction cases filed in Maryland – that is 5 cases filed per cost-burdened household. The struggle to maintain a home in a crisis has become undeniable. HB 729 is another tool to reduce the number of evictions in Maryland. We urge the Committee’s favorable report on this bill.

Eviction should be a last resort for landlords, yet given Maryland’s low fee to file an eviction, it is not. In Baltimore City, eighty-four percent of eviction actions are filed with only one month’s rent due.⁵ HB 729 will deter landlords from rushing to the courthouse door, and encourage them to seek alternatives to hasty evictions. They could instead send a reminder for late payment, devise a payment plan, or amicably resolve the reasonable defenses tenants’ hold. HB 729 further ensures tenants are protected from hastily filed evictions by clearly stating that courts may not pass this surcharge on to tenants, nor may landlords pass the surcharge on to tenants through lease agreements.

¹ <https://www.usccb.org/resources/right-decent-home-pastoral-response-crisis-housing>

² <https://www.usccb.org/resources/right-decent-home-pastoral-response-crisis-housing>

³ https://www.marylandattorneygeneral.gov/A2JC%20Documents1/AG_Covid_A2J_TF_Report.pdf (pgs 17-18)
<https://nlihc.org/coronavirus-and-housing-homelessness/eviction-update> (click Maryland)

⁴ Stout Risius Ross, LLC, Estimation of Households Experiencing Rental Shortfall and Potentially Facing Eviction, <http://bit.ly/stoutevictiondata> (select “Maryland” in drop-down menu).

⁵ <http://bmorerentersunited.org/rtc/stoutreport/>

We know that evictions and housing instability have lasting impact on Marylanders. In a 2019 assessment on homelessness in Baltimore City, 22% of people surveyed reported evictions as the primary cause for their current homelessness.⁶ According to a report from the Aspen Institute, “children who switch schools frequently due to instability or homelessness are more likely to struggle academically and display behavioral problems, less likely to graduate from high school, and earn less than their peers as adults.”⁷ Furthermore, in 2019 nearly 10 percent of youth entered foster care due to their families experiencing housing instability.⁸

We also know there is a massive racial disparity in Maryland’s eviction process. “A recent [study by Dr. Timothy Thomas PhD](#) shows “that the highest risk of eviction occurs in the most segregated neighborhoods to the West and in gentrifying neighborhoods to the East” (referring to Baltimore City).⁹ Furthermore, Black female headed household experience evictions 3.9 times higher than the number of white male headed household evictions, while Black male headed households are evicted at a rate 2.3 times higher.¹⁰ During the Covid-19 crisis, people of color are being impacted the most. “[According to census data](#), 31% of Black renters, 25% of multiracial renters, and 18% of Hispanic renters are not caught up on rent”¹¹

Increasing the surcharge to file evictions is another remedy that encourages landlords to meaningfully work with tenants to ensure they remain in their homes. HB 729 will increase housing stability and begin to redress the racial disparities in Maryland’s eviction process. As Pope Francis made clear during his visit to Washington DC in 2015, “There is no social or moral justification, no justification whatsoever, for the lack of housing.” Now is the time to fix Maryland’s massive eviction system. HB 729 is part of that fix. **We urge the Committee’s FAVORABLE report on HB 729.**

⁶https://homeless.baltimorecity.gov/sites/default/files/PIT%20Report%20Draft%202019_Update%208.30.19_Update.pdf

⁷ <http://www.aspenepic.org/wp-content/uploads/2019/05/Housing-Affordability-and-Stability-An-EPIC-Challenge.pdf>

⁸ https://abell.org/sites/default/files/files/Baltimore%20RTC%20Report_FINAL_5_8_2020.pdf

⁹ <https://evictions.study/maryland/report/baltimore.html>

¹⁰ <https://evictions.study/maryland/report/baltimore.html>

¹¹ https://www.marylandattorneygeneral.gov/A2JC%20Documents1/AG_Covid_A2J_TF_Report.pdf