

House Bill 729
Landlord Tenant – Eviction Actions – Filing Surcharge and Prohibited Lease Provisions

House Judiciary Committee
February 17, 2021

Support

Catholic Charities of Baltimore strongly supports HB 729, which increases the surcharge the District Court is required to assess per civil case for summary ejection, tenant holding over, and breach of lease that seeks a judgement for possession of residential property against a residential tenant to \$120. Additionally, it disallows a landlord from passing the surcharge fee to the tenant in the lease agreement.

Inspired by the gospel to love, serve and teach, Catholic Charities provides care and services to improve the lives of Marylanders in need. As the largest human service provider in Maryland working with tens of thousands of youth, individuals, and families each year, we see the traumatic impact of eviction and housing displacement every day. Homelessness and housing instability are public health crises, and the failure of Maryland's safety net systems to assist struggling low-income renters has only been exacerbated by the pandemic. COVID-19 has laid to bare longstanding inequities in our systems, including inequitable eviction processes. We strongly support HB 729, and the examples below outline how we see this legislation benefiting those we serve:

HB 729 will reduce the incidence and burdens of homelessness. We provide homeless services across central and western Maryland, and often those we work with tell us their households spiraled into homelessness due to an eviction they faced alone and without mediation or support. The stories we hear from our clients mirror what our state data shows: as a result of COVID-19, an estimated 200,000 Maryland households were at risk of eviction at the end of 2020.¹ Stable housing is a cornerstone of stable families, and this bill creates a fairer rent court by increasing the fee landlords must pay to file eviction proceedings to the national average. Without this increase, Maryland has one of the lowest filing fees in the country, meaning landlords can file eviction proceedings for cheap, ultimately using the courts as a state-financed debt collect system that harms tenants and bypasses any opportunity for mediation.

Reenvisioning eviction proceedings in Maryland will assist in the social and economic recovery from COVID. Tragically, during this historic public health challenge, over 115,000 failure to pay rent lawsuits were filed in Maryland from July to November. Without stable shelter, families are more susceptible to adverse childhood experiences (ACEs), hunger, behavioral health crises, and poor health - including increased risk of contracting COVID. This past year in our head start programs our caseworkers have talked to hundreds of parents that have told us they are at risk of eviction and looking for assistance. The pandemic has demonstrated the gaping holes in our safety net programs, especially for people of color. Evictions and homelessness have a disparate impact on black and brown communities. Reducing quick and cheap evictions by raising the filing fee improves the socioeconomic outlook of low-income families, and is a tangible step in the effort to dismantle the inequities born of structural racism and oppression in our legal and social safety net systems.

Changing our eviction process is sound fiscal policy. Evictions further entrench families into homelessness, poverty, and adverse childhood experiences, which are extraordinarily expensive to address. Maryland should be working to prevent loss of housing, especially among households with children. Safe and reliable housing provides the stability needed to secure and maintain employment, promote good health, invest in educational opportunities and ultimately saves the state resources that otherwise go to maintain shelters and state-funded safety net programs. We know our individuals and families thrive in economically secure households with stable housing, and thriving families means a thriving economy.

On behalf of the individuals and families we work with, Catholic Charities of Baltimore appreciates your consideration, and urges the committee to issue a favorable report for HB 729.

Submitted By: Lisa Klingenmaier, Assistant Director of Advocacy

¹ Stout, Risius, Ross. LLC, Estimation of Households Experiencing Rental Shortfall and Potentially Facing Eviction, <http://bit.ly/stoutevictiondata>.