



TESTIMONY IN SUPPORT OF HB 729

Landlord and Tenant – Eviction Actions – Filing Surcharge and Prohibited Lease Provisions

House Judiciary Committee

February 17, 2021

Submitted by Stacey Jefferson and Julia Gross, Co-Chairs

Member Agencies:

Advocates for Children and Youth
Baltimore Jewish Council
Behavioral Health System Baltimore
CASH Campaign of Maryland
Catholic Charities
Episcopal Diocese of Maryland
Family League of Baltimore
Fuel Fund of Maryland
Health Care for the Homeless
Homeless Persons
Representation Project
Job Opportunities Task Force
League of Women Voters of Maryland
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Maryland Catholic Conference
Maryland Center on Economic Policy
Maryland Community Action
Partnership
Maryland Family Network
Maryland Hunger Solutions
Paul's Place
Public Justice Center
St. Vincent de Paul of Baltimore
Welfare Advocates

Marylanders Against Poverty

Stacey Jefferson, Co-Chair
P: 410-637-1900 ext 8578
C: 443-813-9231

E: stacey.jefferson@bhsbaltimore.org

Julia Gross, Co-Chair
P: 410-528-0021x6029

E: jgross@mdhungersolutions.org

Marylanders Against Poverty (MAP) strongly supports HB 729, which would raise the filing fee surcharge for eviction actions in Maryland. Maryland's current filing fee at \$15 is one of the lowest in the nation. By raising the fee closer to the national average at approximately \$122, Maryland will end the current process by which the State subsidizes the landlord's initial debt collection effort.

Raising the fee and allocating those funds to a right to counsel in eviction cases would give landlords an incentive to communicate with tenants before filing for eviction. Namely, landlords would have an incentive to work out a payment plan or find out whether severe conditions of disrepair on the property should be fixed to facilitate the payment of rent. Raising the filing fee is but one small way in which the State can discourage eviction actions and the devastating consequences of eviction.

Each year in Maryland, more than 30,000 people experience homelessness. Leading researchers with the Aspen Institute and others have [documented the ways in which eviction cause homelessness and other forms of immense human suffering](#):

[Following eviction](#), a person's likelihood of experiencing homelessness increases, mental and physical health are diminished, and the probability of obtaining employment declines. Eviction is linked to [numerous poor health outcomes](#), including depression, suicide, and anxiety, among others. Eviction is also [linked with respiratory disease](#), which could increase the risk of complications if COVID-19 is contracted, as well as mortality risk during COVID-19. Eviction makes it more expensive and more difficult for tenants who have been evicted to [rent safe and decent housing](#), apply for credit, borrow money, or purchase a home. Instability, like eviction, is [particularly damaging to children](#), who suffer in ways that impact their educational development and well-being for years.

This does not include the [enormous public costs of eviction and homelessness](#) from Medicaid-insured homeless persons forced to use the emergency room as their primary care physician or the increased number of children forced to enter foster care due to eviction.

Certainly, a critical component of ending evictions and homelessness is creating new affordable housing opportunities for families with limited incomes. Yet another aspect of ending homelessness and eviction must be reducing the incentive for landlords to seek eviction and protecting tenants' current legal rights to secure, habitable housing in any eviction action. HB 729 will raise the bar for landlords to file an eviction action and direct funding to legal representation for tenants to enforce their current rights under the law.

Finally, MAP is strongly in support of the protections in HB 729 that prohibit the court and landlords from passing this filing fee surcharge onto the tenant. Tenants who are already struggling to avoid eviction must not be saddled with an additional fee that could make it even more difficult for them to avoid eviction. Without this critical protection for tenants, MAP would not support the bill.

MAP appreciates your consideration and urges the committee to issue a favorable report for HB 729.

HB 729/SB 530 is part of a larger package of Housing Justice bills necessary to support safe, healthy, fair, and affordable housing in Maryland. Marylanders Against Poverty proudly supports this package. For more information visit www.rentersunitedmaryland.org.

Marylanders Against Poverty (MAP) is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.