



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

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The Honorable Kumar P. Barve
Environment & Transportation Committee
Room 251, House Office Building
Annapolis, Maryland 21401

RE: Maryland Legal Aid Written Testimony in Support of HB 367– Landlord and Tenant – Repossession for Failure to Pay Rent – Rental Assistance Programs)

Dear Chair Barve and Members of the Committee:

Thank you for the opportunity to testify in support of HB 367. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to the State's low-income and vulnerable residents. MLA's 12 offices serve residents in each of Maryland's 24 jurisdictions. MLA handles various civil legal matters, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining child custody, housing, a driver's license, and employment. Maryland Legal Aid supports HB 367 and asks that the committee give it a favorable report with the amendments outlined below.

This letter serves as notice that Harrison Mont, Esq. will testify in support of House Bill 367 on behalf of MLA at Delegate Nicole A. Williams' request. HB 367 ensures landlords and tenants take advantage of COVID-19 rental assistance programs. The bill achieves this by requiring that landlords inform tenants of rent relief programs and comply with the assistance program's procedures. In short, HB 367 helps the landlord to get paid while promoting housing stability for renters in Maryland adversely impacted by COVID-19.

A requirement for the landlord to inform the tenant of the availability of rental assistance programs would significantly decrease the number of evictions. While a large amount of money is available for tenants financially impacted by COVID-19, many tenants are unaware of these resources. Landlords have no obligation to tell tenants about rental assistance programs regardless of whether or not a tenant would qualify. This has caused many unnecessary evictions, damaging the landlords' business and the tenants' housing stability and health. All of this could have been avoided if the tenant had been informed about the resources

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available. HB 367 stops this unnecessary damage by requiring the landlord to inform the tenant that assistance is available.

Landlord compliance with rental assistance programs is a substantial challenge for many tenants. Virtually all rental assistance programs require a landlord's cooperation. Meaning that tenants at risk of eviction are nervously waiting for their landlords to fill out the rental assistance forms, hoping the documents are completed before the failure to pay rent hearing.

A critical provision of this bill is the requirement that landlords make some effort to seek rental assistance before filing a failure to pay rent eviction. Many landlords file for eviction as soon as they are legally allowed. This begins a countdown in which the tenant needs to pay the rent money before eviction or becoming homeless. Although there is a lot of money available, programs are overwhelmed by the number of tenants who qualify and need assistance. All too often, even when both the landlord and tenant cooperate with the assistance program, the rent money will not come before the trial, causing an eviction judgment against the tenant. Some landlords will continue to seek eviction despite having been paid. MLA advocates see this situation all too often. In a recent case, a landlord signed an agreement saying they would stop all eviction actions in exchange for rental assistance. That landlord told the tenant that they did not need to go to court because the landlord would voluntarily dismiss the case. The landlord did not dismiss the case, and that tenant was evicted. Cases such as these are unnecessary tragedies that happen far too often.

The COVID-19 crisis impacts us all and particularly impacts housing stability throughout the country. Programs like the CARES act and the American Rescue plan are meant to abate some of the damage COVID-19 has done to our communities and put us on the path to recovery. What is needed now is more time and awareness to disburse that assistance. HB 367 provides the extra time necessary to ensure Maryland residents benefit from these programs and remain in their homes.

Thank you for considering this written testimony. For the reasons stated above, MLA urges a favorable report on HB 367.

/s/ Harrison Mont
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