

HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
SB 223 – Landlord and Tenant – Eviction Actions – Filing Surcharge
and Prohibited Lease Provisions

Senate Judicial Proceedings Committee
February 3, 2022



Health Care for the Homeless supports SB 223, but join with our colleagues at Renters United Maryland in opposing SB 223 if the bill is amended to allow the increased surcharge to be passed through to tenants under any circumstances.

SB 223 would increase the filing fee surcharge on eviction actions from \$8 to \$73 and prohibit the court and the landlord from passing on this increase to the tenant. Prior to the pandemic, landlords filed 660,000 eviction complaints each year in a State with only 730,000 renter households, the highest eviction filing rate in the nation. We applaud the General Assembly in taking the important step of preventing evictions during the 2021 session by passing HB 18, which will provide tenants with access to counsel in eviction cases and which requires landlords to send tenants a 10-day notice prior to filing an eviction action. However, Access to Counsel in Evictions Fund must be funded in order for this program to actually be implemented. Additional important steps to further housing justice include pausing eviction cases when a rental assistance application is pending or the tenant is seeking legal/social services, and increasing the fee on filing an eviction action without passing that fee increase onto tenants. These actions would further incentivize landlords to work with tenants and social services. A number of these initiatives, along with other bills, will be before this body this legislative session and we, along with Renters United Maryland, urge you to consider and pass these bills.

While we support SB 223 as drafted, **if the bill is amended to allow landlords or the court to pass on this \$65 increase to the tenant under any circumstances, the purpose of the bill is eviscerated.** There would no longer be any disincentive for the landlord to file an eviction action if the landlord or the court can pass that surcharge onto the tenant. Further, any additional fees on tenants, even “minor” increases, would have significant effects on renters and housing stability in Maryland. **Do not make tenants pay more for their own eviction!**

Health Care for the Homeless and Renters United Maryland coalition and we will vocally oppose any surcharge increase in which that surcharge may be passed onto the tenant under any circumstances. As such, Health Care for the Homeless asks that the Committee issue a favorable report **without amendments** on SB 223.

Renters United Maryland is a coalition of independent non-profit, legal services, and community-based organizations. In 2022, Renters United Maryland calls on the General Assembly to ensure that Maryland’s COVID recovery isn’t leaving renters behind. See Renters United Maryland’s Housing Justice plan for the 2022 legislative session here: <https://rentersunitedmaryland.org/>.

Health Care for the Homeless is Maryland's leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We work to prevent and end homelessness for vulnerable individuals and families by providing quality, integrated health care and promoting access to affordable housing and sustainable incomes through direct service, advocacy, and community engagement. We deliver integrated medical care, mental health services, state-certified addiction treatment, dental care, social services, and housing support services for over 10,000 Marylanders annually at sites in Baltimore City and Baltimore County. For more information, visit www.hchmd.org.