

Testimony in Favor of Funding the Right to Counsel (SB662 and HB724)

We urge you to support and help pass the bills that fund the right to counsel ([SB662](#) and [HB724](#)) currently being considered in the State House and Senate. These bills would provide about \$12 million to fund the provision of legal counsel to tenants facing eviction proceedings. Currently, a huge imbalance in power and knowledge exists in which landlords are often represented by a lawyer while tenants are not. This too easily results in abuses that can cause homelessness and other severe hardships for tenants. People of color are disproportionately victims.

In some jurisdictions, the right to counsel has succeeded in preventing eviction and/or the appearance of eviction on tenants' records that makes it harder for them to find decent jobs, housing, or apply for loans.

The statistics showing a disparity in legal power are overwhelming. According to [Renters United Maryland](#), landlords are filing about 30,000 court cases a month. This astounding pace would threaten a massive number of evictions. Tenants are represented only 1% of the time compared to 96% of the time for landlords according to the [Maryland Consumer Rights Coalition](#).

Racial and gender disparities are exacerbated by the current system. An [academic study](#) found that in Baltimore, African American women were evicted four times more often than white men. Another [study](#) revealed racial disparities in eviction in Richmond and Milwaukee even when controlling for a variety of other demographic characteristics.

Evidence from jurisdictions enacting a right to counsel has shown a great number of benefits, including significant reductions in the frequency of eviction. The right to counsel reduced evictions by [77% in Manhattan during 2013](#). After the city of Baltimore enacted a right to counsel, it is estimated that [92% of the tenants](#) represented by counsel [will avoid eviction](#). In the District of Columbia, the District of Columbia Bar and Legal Aid Society started funding the Housing Right to Counsel Project, which the City Council subsequently helped fund with annual appropriations. About 25% of tenants are now represented by legal counsel and [are four times less likely to be evicted](#).

Even when evictions cannot be avoided, legal representation wins other important protections such as a longer time and more orderly means of leaving the current residence, a reduction in the amount owed to the landlord, and a greater likelihood of securing emergency assistance. Other important [benefits](#) include the eviction episodes not appearing in the tenants' housing records or credit reports which harm future abilities to secure housing, jobs and access to banking and loans.

In conclusion, funding the right to counsel helps establish housing as a basic human right and addresses glaring racial and gender disparities in the state. It would benefit all of us economically by preserving the ability of tenants to advance their own economic prospects and secure decent housing and jobs in the future. It would ultimately pay for itself many times over. It would be the right thing to support in any time period, but especially right now as economic and racial injustices have come to the fore in the context of the pandemic.

Please inform us of your intentions regarding this critical matter at kathyjosh@comcast.net.

Sincerely,

Josh Silver, Bethesda, MD

Karen Levi, Potomac, MD