

Testimony to the Senate Judicial Proceedings Committee
SB223: Landlord and Tenant – Eviction Actions – Filing Surcharge and Prohibited Lease Provisions
Position: Favorable

February 3, 2022

Senator Smith, Chair
Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, Maryland 21401
Cc: Members, Senate Judicial Proceedings Committee

Honorable Chair Smith and Members of the Committee:

The Maryland Consumer Rights Coalition is a statewide coalition of individuals and organizations that advances financial justice and economic inclusion for Maryland consumers through research, education, direct service, and advocacy. Our 8,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland. MCRC is in support of SB223.

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. The General Assembly took an important step to address this issue in 2021 by passing HB 18, which will provide tenants with access to counsel in eviction cases when funded and which requires landlords to send tenants a 10-day notice prior to filing an eviction action. Additional important steps to further housing justice would be funding the Access to Counsel in Evictions Fund, 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.

MCRC's Tenant Advocacy program empowers tenants to advocate for themselves by providing information about housing rights and responsibilities, legal information, mediation, and referrals to other nonprofits and legal services. The requests we have received for assistance with eviction have increased by 36% over 2020 and continued to increase in 2021. COVID-19 has exponentially increased the housing insecurity impacting Maryland tenants.

In 2021, our Tenant Advocacy program received 1271 complaints from Maryland residents statewide. Of those 1271, 800 were related to eviction. An increase in the cost of eviction filings would disincentivize landlords from pursuing evictions as a first course of action before considering diversion services.

For these reasons we support SB223 and urge a favorable report.

Best,
Isadora Stern
Policy Associate