



**SB 564: Landlord and Tenant and Wrongful Detainer Actions – Eviction Prevention Services
HEARING BEFORE THE JUDICIAL PROCEEDINGS COMMITTEE, FEBRUARY 22, 2022 AT 1:00 PM
POSITION: SUPPORT**

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide coordinator, thought leader and clearinghouse for volunteer civil legal services in Maryland. As the designated pro bono arm of the Maryland State Bar Association, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar. We also respond to acute legal needs identified in areas across the state by piloting and operating innovative direct service projects targeting specific legal problems or populations.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the **Tenant Volunteer Lawyer of the Day Program (TVLD Program)** in Baltimore City Rent Court to provide day-of-court legal representation to tenants who appear unrepresented for their proceedings. Since that time we have expanded to provide day-of-court services in Baltimore County. Using both staff and volunteer attorneys, we have represented over 437 clients through this model in the last year. Tenants appearing in Rent Court often contend with difficult and unsafe living conditions, are nearly always unrepresented and are often unaware of the judicial process or their rights as renters. PBRC has stepped in to fill that void.

PBRC supports SB 564 because it will allow us and other legal and nonlegal services providers more meaningful opportunities to work with tenants in order to prevent evictions, homelessness and housing insecurity. This bill accomplishes this simply by creating the time to do so by requiring short recesses or postponements at court of Failure to Pay Rent Actions.

In recognition of the need for counsel in eviction matters, the Maryland General Assembly passed HB 18 in 2021, providing that all limited-income tenants “shall have access to legal representation” in legal matters where they face eviction. SB 564 provides an important step in providing this access. An estimated 92% of tenants arrive at rent court for their Failure to Pay Rent actions without representation. Many of them are in court for the first time and do not fully understand what is to take place. They do not realize that this is the only hearing they will have. Nor do they know what evidence and witnesses they should bring. They are often nervous and intimidated at the prospect of losing their housing. In contrast, most landlords are represented by attorneys or specialized agents who know court procedure and personnel very well. As providers, we work quickly to identify and assist as many tenants as possible before the dockets are called. However, even with the assistance of volunteer attorneys, we often run out of time, leaving some tenants to enter the courtroom without representation. **SB 564 would level the playing field by allowing tenants either a recess or postponement in order to work with legal services providers. If there is a provider such as PBRC present in the courthouse and available to provide same-day representation, a simple recess will be sufficient.** Although tenants are more likely to need a postponement, it is worthy of note that SB 564 covers both landlords and tenants in this respect.

PBRC and our partner organizations work together to help tenants avoid eviction and all its negative consequences, including homelessness. We can do this only if we are given the necessary time. Even with a day-of-court model, we need to have sufficient time to speak to tenants and review their documents in order to fulfill their right to counsel in a meaningful way. SB 564 would offer that. **When tenants are given a meaningful opportunity to participate in eviction prevention programs, everyone benefits.**

PBRC is a member of the Renters United Maryland, a statewide coalition of renters, organizers and advocates. For the above reasons, **PBRC urges a FAVORABLE report on SB 564.**

Please contact Katie Davis, Director of PBRC's Courtroom Advocacy Project, with any questions.
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