

SB 384 Testimony.pdf

Uploaded by: Alex Avdakov

Position: FAV



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

**STATEWIDE
ADVOCACY SUPPORT UNIT**

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February 15, 2022

The Honorable Senator William C. Smith Jr.
Judicial Proceedings Committee
Miller Senate Office Building, 2 East Wing
11 Bladen St.
Annapolis MD, 21401

Re: Testimony in support of Senate Bill 384 – Stay of Eviction Proceedings for
Rental Assistance Determination

Dear Chairman Smith and Members of the Committee,

Thank you for the opportunity to testify in support of this important bill. 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 handles civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove child custody, housing, and employment barriers. Maryland Legal Aid supports SB 384 and asks that this committee give it a favorable report.

This letter serves as notice that Alex Avdakov, Esq. will testify in support of Senate Bill 384 on behalf of Maryland Legal Aid at the request of Senator Shelly Hettleman. Rental assistance has been an essential lifeline to Maryland's most vulnerable families impacted by Covid-19. As of December 2021, \$240 million in rental assistance has been distributed to 40,000 renters across Maryland. In February 2022, the Maryland Department of Housing and Community Development announced that an additional \$204 million would be allocated to the state's emergency rental assistance program, also known as Funding Phase II. Rental assistance is a continuing reality in Maryland.

Meanwhile, failure to pay rent eviction cases continue to be heard daily in Maryland District Courts. In Baltimore City, prior to courts entering phase III operations, hearings were scheduled as soon as 30 days from the filing date. Factoring in Maryland's new 10-day notice requirement, this gives tenants 40 days to apply for and obtain rental assistance. If the tenant fails to get this assistance in time, a judgment is entered against them, leading to eviction. In the experience of MLA advocates, the typical wait period for rental assistance in Baltimore City is several months. Because

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04.2021



of this wait, tenants that would otherwise qualify for and receive rental assistance are evicted. In many cases, landlords that have already agreed to accept rental assistance funds refuse to wait any longer. SB 384 gives more time for rental assistance to be awarded, preventing unnecessary evictions.

This bill also prevents unnecessary evictions by requiring landlords to accept rental assistance. When filing a failure to pay rent eviction, a landlord demands that the tenant pay the amount owed or be put out of their home. Currently, if a tenant were to independently attempt to pay the rent owed and the landlord refused, the landlord has a legal duty to accept it. However, at this time landlords are not required to accept rental assistance money after filing for a failure to pay rent eviction.

While many landlords are willing to accept rental assistance, some landlords refuse. These landlords often claim that they are subject to limitations on their ability to evict tenants in the future. Most rental assistance agreements include a landlord's commitment not to evict the tenant for 90 days following the monetary award date. The proposed legislation is limited to failure to pay rent evictions. This legislation does not prevent landlords from choosing to provide proper notice to end a lease and evicting the tenant through a Tenant Holdover action. Maryland recently implemented a 60-day notice to terminate an expiring or expired lease. One month's notice was previously required. Further, under the proposed legislation, rent remains due following the receipt of rental assistance, and landlords retain the ability to seek out compensation for rent that is not paid during this 90-period.

In sum, SB 384 is narrowly focused on getting rent money into the hands of landlords, which is what they are demanding by filing a failure to pay rent eviction. As a result, fewer Maryland families will face eviction. MLA respectfully requests that you provide a favorable report on SB 384.

Sincerely,

/s/Alex Avdako

Alex Avdakov
Staff Attorney
Maryland Legal Aid
410 951 7623
aavdakov@mdlab.org

SB 384_Landlord and Tenant – Stay of Eviction Proc

Uploaded by: Angela Martin

Position: FAV



2/10/2022

Re: Support of SB 384 – Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

Dear Honorable Chair Smith and Members of the Senate Judicial Proceedings Committee,

I am writing on behalf of the Maryland Community Action Partnership (MCAP) to urge your support of SB 384 – Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination.

The Maryland Community Action Partnership (MCAP) is a statewide non-profit organization comprised of Maryland's 17 Community Action Agencies, which collectively serve every Maryland county. Together, we work toward eradicating homelessness and poverty to realize our vision of ensuring that all Maryland individuals and families are stable, economically secure, and live in safe and thriving communities.

MCAP supports SB 384 because of its impact on the individuals and families with low-income that our organizations serve.

If passed, the bill would:

- Provide a stay of eviction proceedings if a tenant provides evidence, satisfactory to the Court, that the tenant is currently waiting for determination regarding a good faith application for rental assistance.
- Provide a stay of execution of any warrant or restitution or order requiring the tenant to surrender the premises until resolution of the tenant's application and distribution of the funds awarded.
- Prohibits landlords from seeking relief or other judicial action against the tenant to collect the rent sought in the complaint, if they refuse to accept rental assistance from an agency that distributes funds for rental assistance.

It is MCAP's position that this legislation provides much needed relief to those experiencing financial hardship and facing potential eviction. The protections and supports outlined in SB 384 will enable individuals and families to access services and remain housed and will serve as an important tool in the fight to ensure economic stability and safety for all Marylanders.

If there is any additional information that I can provide for you as you consider this bill, I would be happy to help. You can contact me at amartin@maryland-cap.org, or by calling 205-757-0764.

Sincerely,

A handwritten signature in black ink, appearing to be "Angela Martin", written over a thin blue horizontal line.

Angela Martin, Executive Director

SB0384_AnnaLevy_FAV.pdf

Uploaded by: Anna Levy

Position: FAV

February 15, 2022

Anna Levy
Rockville, MD 20852

TESTIMONY IN SUPPORT OF BILL SB0384/HB0674

Landlord and Tenant Stay of Eviction Proceeding for Rental Assistance Determination

TO: Chair Smith, Vice Chair Waldstreicher, members of the Judicial Proceedings Committee
FROM: Anna Levy

My name is Anna T Levy, a resident of Rockville, MD, District 16. I am submitting this testimony in support of SB0384/HB0674, Landlord and Tenant Stay of Eviction Proceeding for Rental Assistance Determination.

Safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. Renters routinely have little agency when faced with threats to maintaining stable housing. As a Jewish person, I am taught that all people should have *dei machsoro*, resources sufficient for each person's needs. (Deut. 15:7-8) Consequently, society has an obligation to make sure that people can stay in their homes, especially during a time of pandemic.

Over 655,000 eviction cases are filed each year in the State of Maryland among 805,000 renter households. Notably, evictions have a disparately negative impact on Black and brown households in Maryland. This has been particularly evident during the current health emergency. Since the lifting of the federal and state emergency stay on evictions, the courts are once again able to hear failure to pay rent cases. Approximately 700 households were evicted per month in the second half of 2021. This is in spite of the fact that we are still very much in a public health emergency, and in spite of the fact that funds from available emergency rent programs (ERAP) could cover the \$392 million estimated rent debt in Maryland (December 2021, Renters United of MD).

In 2021, the MD General Assembly passed the Access to Council bill, HB18, establishing Access to Counsel to provide legal service to low-income tenants. It also extended the notice period for an eviction filing to 10 days. The State of Maryland has received large amounts of funding for emergency rental assistance to help renters, behind in rent due to COVID19, to cover their overdue rent and fees and remain safely in their homes. Although these measures have been successful in protecting a great number of renters, distribution of ERAP funds has lagged behind the need. This puts renters awaiting resolution of applications for assistance at high risk of eviction before they receive pending assistance.

This bill will provide authority to the Courts to pause the eviction process for tenants who have good faith applications for rental assistance pending. It also requires landlords to accept rental assistance rather than refusing to accept it and taking tenants to eviction court. No one should face eviction from their homes if they are eligible for available assistance, especially during a pandemic.

I respectfully urge a strong report from the Committee in support of passage of SB0384/HB0674.

SB0384_JPR_Arielle Juberg_FAV.pdf

Uploaded by: Arielle Juberg

Position: FAV

SB0384, Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination
Testimony in **Support**

To: Chair Smith and members of the Senate Judicial Proceedings Committee
From: Arielle Juberg, Baltimore MD 21234

My name is Arielle Juberg. I am a resident of Baltimore County in District 8. I belong to Showing Up for Racial Justice (SURJ) in Baltimore. SURJ is also working in collaboration with CASA de Maryland and Renters United Maryland. I am testifying in **support** of SB0384, Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

SB0384 matters to me because I have witnessed how our system can benefit and empower landlords while giving tenants few options. As a former tenant, I've signed rental agreements that forfeited my tenant rights. My landlords could raise the rent for any reason and levy fees caused by their accounting mistakes. While I have interacted with professional landlords who treated tenants with curtesy, our interactions have still been marked by a wide power gap. Being able to evict a tenant when they've applied for rental assistance is another example of this power gap.

If tenants have applied for rental assistance, they should be allowed to live in their homes until a determination is made. Tenants should not be punished when overburdened agencies take months to process applications.

The [National Equity Atlas](#) estimates rent debt using US Census and Treasury data. On January 30, they reported an *estimated 105,000 households were behind on their rent in Maryland*. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing. The sudden transition of eviction is especially difficult for children, who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe, stable housing has far-reaching economic, health, and social benefits to individuals, families, and communities and is key to reducing racial inequities. This is even truer during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas estimates that 74% of tenants behind on their rent in our state are people of color, despite forming less than half the state population. Helping people of color remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

It is for these reasons that I am encouraging you to **support** SB0384. Thank you for your time, consideration, and service.

sb 384.pdf

Uploaded by: Brian Seel

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident District 46 and **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,
Lilly Chapa
212 S Washington St

Christina Pham Linhoff
46 E Randall St

Holly Powell
2308 Cambridge St

Brian Seel
223 S Wolfe St

Liz Simon-Higgs
308 E Randall St

Showing Up for Racial Justice Baltimore

HPRP_SB 384_FAV.pdf

Uploaded by: Carisa Hatfield

Position: FAV



HOMELESS PERSONS REPRESENTATION PROJECT, INC.

SB 384 - Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance

Determination

Hearing before the Judicial Proceedings Committee,
Feb. 15, 2022

Position: SUPPORT (FAV)

The Homeless Persons Representation Project, Inc. (HPRP) is a non-profit civil legal aid organization that provides free legal representation to people who are homeless or at risk of homelessness on legal issues that will lead to an end to homelessness. HPRP regularly represents tenants in failure to pay rent cases and other landlord-tenant matters in Baltimore City.

We urge the Committee to issue a favorable report on SB 384.

Maryland has unprecedented funding to prevent evictions. Every dollar of our [estimated rent debt of \\$392 million](#) (Dec. 2021) can be paid by local emergency rental assistance programs (ERAPs) that have scaled up over the past year. Yet, in the second half of 2021, there were nearly 27,000 eviction cases filed for non-payment of rent per month. **In that time, 705 households were evicted per month.**

SB 384 provides a structural fix by:

DECEMBER 2021

105,000

MD HOUSEHOLDS
BEHIND ON RENT

The Household Pulse Survey (Week 41) estimates that **62% of Maryland renters** feel "very" or "somewhat" likely to be evicted in the next 2 months. These renters are disproportionately people of color, and the majority have children in their households. Here's what else we know about them:

97% have a household income under \$50,000

84% lost employment income in the past 4 weeks

88% borrowed from friends/family to meet spending needs in the past 7 days

14% used their Child Tax Credit payment to meet spending needs in the past 7 days

1. **Providing the Court Authority to Temporarily Pause The Eviction Process.** Right now, there is no statutory authority for the Court to pause the eviction process related to rent assistance. This sets up a nightmarish race between the ERAP agency/tenant and the eviction process. SB 384 mandates a stay on Failure To Pay Rent proceedings, on a case-by-case basis, if a judge determines that a good faith rental assistance application to resolve the debt is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*



73%

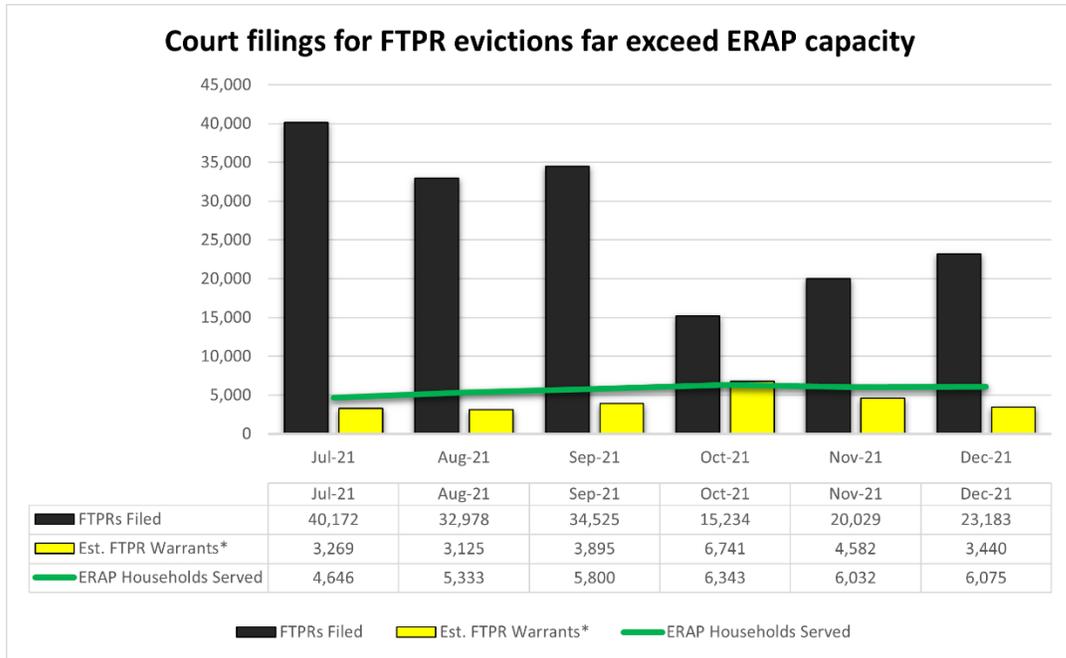
of surveyed pro bono attorneys in Maryland reported that in some, most, or all of their cases, **renters faced eviction while waiting** for Emergency Rental Assistance.

63%

of surveyed pro bono attorneys had cases in which renters **faced eviction after their landlords refused** to accept Emergency Rental Assistance.

2. **Incentivizing Landlords to Accept Rental Assistance.** Numerous landlords – both large corporations and smaller operators – are refusing to accept rental assistance. Some refuse it across the board. Others pick winners and losers – accepting the rental assistance for some who they like and refusing it for others. If the landlord wants to use a state-funded judicial process to collect the rent, they should be required to accept rental assistance. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

3. **Aligning The Pace of Rental Assistance With Eviction Processes For Fairness and Efficiency.** Even as local rental assistance programs have worked overtime to innovate solutions that make landlords whole while keeping residents housed, they were exceedingly outpaced by eviction filings. In July 2021, the ratio of FTPR eviction filings to households served by ERAPs was nearly **9:1**. Even with the incredible ramp-up effort over summer and fall, plus the implementation of new notice requirements under HB18 (Oct. 2021), that ratio was still approximately **4:1**.



Amid this tide of eviction litigation, ERAP programs have had to prioritize applications in which tenants face pending evictions. They have collaborated with local sheriffs to identify addresses slated for eviction. The work of distributing federal relief funds broadly has become the urgent triaging of scheduled evictions. The cost of this dynamic has been to place timely applications on hold, to have tenants waiting months for assistance, until they are on the brink of losing their home. This is not fair or efficient. It rewards landlords who aggressively pursue eviction by pushing them to the front of the line while leaving behind those landlords who are cooperating with ERAP programs. SB 384 would remove that incentive for landlords to aggressively pursue eviction because the Court could pause the eviction while a good faith rental assistance application is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

4. Adopting a National Best Practice of Pausing Eviction for Rental Assistance.

HB 674/SB 384 adopts a best practice learned in the wake of COVID-19 that has been adopted in some form by at least **16 other states**. "Eviction stays are a critical intervention that delay final judgment and give renters the opportunity to apply for ERA and avoid evictions." - *National Low Income Housing Coalition*

[At least 16 other state and local jurisdictions have enacted protections for tenants who have applied for rental assistance by temporarily staying the eviction process.](#) Additionally, some states have issued guidance that landlords

who refuse rental assistance violate the state's source of income law. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

HPRP is a member of the Renters United Maryland coalition and asks that the Committee **issue a report of FAVORABLE on SB 384**. If you have any questions, please contact: Carisa A. Hatfield, Esq., at 443-402-5395, or chatfield@hprplaw.org.

SB0384_Stay_of_Eviction_MLC_FAV.pdf

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR HB0384
Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance
Determination

Bill Sponsor: Senator Hettleman

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0384 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of individuals and grassroots groups with members in every district in the state with well over 30,000 members.

Renters have been placed in a particularly untenable position since the start of the pandemic. Many renters have either lost jobs, or seen their wages reduced. Most have no desire to default on their rent, but are simply experiencing the volatility of shutdowns and sickness. We all understand that landlords have the right to collect on their rents, but we should not needlessly throw people out on the street when they are making an effort to pay.

This bill will support the many renters in the state by precluding landlords from evicting them while they are waiting for rental assistance funds. The goal should always be to keep people in their homes.

We support this bill and recommend a **FAVORABLE** report in committee.

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Daryl Yoder

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 12 and have been both a renter and landlord in Baltimore County. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder

309 Glenmore Ave.

Catonsville, MD 21228

Showing Up for Racial Justice Baltimore

SB 384_DavidSieradzki_FAV.pdf

Uploaded by: David Sieradzki

Position: FAV

David L. Sieradzki
6104 Yorkshire Terrace
Bethesda, MD 20814

Hearing Date: February 15, 2022

Testimony in Support of SB 384 – Allow Rental Assistance to Work!
Stay of Eviction Proceedings for Rental Assistance Determination

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee
FROM: David Sieradzki

My name is David Sieradzki. I am a resident of District 16 (Bethesda) and am submitting this testimony in support of SB 384.

The emergency renters' assistance program is one of the smartest ways to address the COVID pandemic and ameliorate its disastrous impact on many of our neighbors. The renters' assistance funds help needy families who are affected by the pandemic stay in their homes if they're having difficulty paying their rent while also protecting landlords from financial losses. A win-win for everyone! Except that some unscrupulous landlords are refusing to accept funds from the program and instead are using the pandemic as an excuse to evict low-income renters. Many families who lose their housing have to resort to facilities like homeless shelters, where social distancing may be difficult and COVID often spreads rapidly. How awful for these landlords to abuse the eviction process to wreck families' lives while accelerating the spread of COVID!

Fortunately, the state legislature can avert this unacceptable outcome by adopting SB 384, which simply stays eviction proceedings or delays execution of eviction judgments until the tenants' applications for rental assistance have been resolved. This preserves landlords' rights while also protecting tenants and allowing the renters' assistance program to achieve the desired goals.

Thank you for the opportunity to submit this testimony. I respectfully urge this committee to return a favorable vote on SB 384.

SB 384 Strickland Watkins testimony FAV.pdf

Uploaded by: Deric Strickland

Position: FAV

Testimony of Deric Strickland and Tonae Watkins in support of SB 384, Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination

Judiciary Proceedings Committee Hearing on February 15, 2022

Position: Favorable

My name is Deric Strickland. I live with my wife, Tonae Watkins, and our two daughters, ages 6 and 2, at Winston Apartments. There are over 150 units in our complex. The complex is managed by Apartment Services Inc., which manages apartments throughout the Baltimore metro area. Like many of our neighbors, our family has struggled to pay rent during COVID, our landlord has refused to accept rental assistance, and we are standing on the edge of eviction.

Before COVID, I was working at a warehouse, and we paid the rent timely each month. We were a two-income household, and we were even able to send one of our daughters to private school so that she could have the best education possible. When COVID hit, I had to quit my job to take care of our two children who were forced to stay at home. My wife has been picking up as many shifts as possible during the day at a grocery store and in the evenings at a local restaurant, but it has not been enough. We've managed to pay some of the rent that is due by borrowing from friends and family and by ignoring certain other bills. We are constantly receiving eviction notices and constantly paying just enough to stay in the property. But we can't dig out of the hole without help.

We applied for rental assistance with the Baltimore City Community Action Partnership back in August of 2021. We provided numerous documents and answered all of the questions. And then we waited only to be told months later by the landlord's agent that they're not accepting rental assistance. They also couldn't be bothered to fix the hot water timely. We had little-to-no hot water throughout December 2021. Our apartment complex is still overrun with mice despite our best efforts. And, our stove is barely functional.

Every time an eviction is scheduled for our unit, our landlord sends constant eviction notices and post them to our door in full view of everyone in the complex. In a single day we have received five eviction notices for the same case. Along with the eviction notices, we often get the contact numbers for rental assistance programs, which feels like a cruel joke when the landlord is refusing to cooperate with rental assistance programs in the first place. I don't know how much longer my family can keep paying to stay in our home when there is a valid rental assistance application waiting for our landlord to cooperate and help our family get back on our feet.

Please support SB 384.

SB0384-JPR_MACo_SUP.pdf

Uploaded by: D'Paul Nibber

Position: FAV



Senate Bill 384

Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

MACo Position: **SUPPORT**

To: Judicial Proceedings Committee

Date: February 15, 2022

From: D'Paul Nibber

The Maryland Association of Counties (MACo) **SUPPORTS** SB 384. This bill would, among other provisions, allow a tenant to stay an eviction proceeding while waiting for a determination regarding the tenant's good faith application for rental assistance.

Throughout the COVID-19 pandemic, Maryland has experienced a record number of evictions. To stabilize the housing market, counties have been relied upon to distribute federal emergency rental assistance to qualified tenants experiencing financial distress. County agencies have worked diligently to ensure this assistance is provided in a timely manner. A total of over 70,000 applications for rental assistance have been processed with over 40,000 households having received assistance.

Unfortunately, in the recent past, state and federal guidelines regarding payment distribution record-keeping, evidence of rental arrangements, and collection of qualifying income documentation contributed to delays in assistance payments. In recent months, counties have increased the efficiency and timeliness of their emergency rental assistance programs, yet eviction filings concerning tenants eligible for assistance persist.

County officials share the concern that many eligible tenants are not aware of, or are having difficulty applying for, emergency rental assistance. SB 384 is needed to ensure housing stability for these vulnerable tenants. Upon eviction, these former tenants are faced with cascading negative health and economic issues including homelessness, food insecurity, and job loss—placing a substantial burden on state and county resources.

SB 384 would protect vulnerable Marylanders from needless evictions and by doing so, avoid the preventable drain on state and local resources. For these reasons, MACo **SUPPORTS** SB 384 and urges a **FAVORABLE** report.

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Erica Palmisano

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 12. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,
Erica Palmisano
5580 Vantage Point Rd, Apt 5, Columbia, MD
Showing Up for Racial Justice Baltimore

sb0384eviction cpsr (2).pdf

Uploaded by: Gwen DuBois

Position: FAV



Committee: Judicial Proceedings

Testimony on: SB0384/HB0674 – Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination

Position: Favorable

Hearing Date: February 15, 2022

Chesapeake Physicians for Social Responsibility (CPSR) is a statewide evidence-based organization of over 940 physicians and other health professionals and supporters that addresses existential public health threats: nuclear weapons, the climate crisis, and the issues of pollution and toxic effects on health, as seen through the intersectional lens of environmental, social, and racial justice.

We strongly support SB0384, which would grant stays of eviction proceedings for tenants who have applied for rental assistance and are waiting for determination on their applications. The bill also would prevent landlords who refuse to accept rental assistance from initiating any other judicial action against the tenant to collect rent. These actions would provide immense relief to Maryland renters, almost half of whom currently feel they are “somewhat” or “very likely” to be evicted in the next two months (1).

The ongoing pandemic has brought to light many of the health-related consequences of eviction. Eviction directly leads to an increase in the number of people experiencing homelessness, who often turn to overcrowded living situations. In such environments, it is nearly impossible to follow COVID-19 precautionary measures such as social distancing, self-quarantining, and hygienic safety. It should come as no surprise then that people experiencing homelessness are burdened with significantly higher rates of COVID-19 infection than those with stable housing (2, 3).

Research shows that this rise in infection rate can propagate throughout the entire state. At the start of the pandemic, 44 states enacted eviction moratoriums. One study examined how infection rates changed when some states lifted moratoriums. Compared to states that preserved their eviction moratoriums, states that lifted their moratoriums experienced infection rates over twice as high and mortality rates over five times as high (3). Therefore, SB0384 should be viewed, among other things, as a measure to control the pandemic, as it would reduce COVID-19 transmission rates in Maryland by reducing the potential for the virus to spread throughout the community via people experiencing unstable housing.

Although COVID-19 dominates healthcare discourse today, it is far from the only illness that is associated with eviction. For the same reasons that people experiencing homelessness are more exposed to COVID-19, they also are at increased risk of contracting other infectious diseases such as tuberculosis and influenza (4, 5). Eviction in particular can precipitate other health issues. One study found that mothers who were evicted reported worse outcomes for both themselves and their children compared to mothers who were not evicted (6). People who are evicted also have higher rates of sexually transmitted infections, poor HIV outcomes, and all-cause mortality (7-9). Even the mere threat of eviction can have significant consequences. One study demonstrated that people at risk of eviction suffered from higher rates of hypertension, depression, anxiety, and suicide (10). All these issues are compounded further by the unfortunate reality that people experiencing homelessness face significant barriers to accessing healthcare. Be it from a lack of insurance, transportation, identification, or internet, people experiencing homelessness have little power to seek care to combat the diseases precipitated by eviction (11).

Lowering eviction rates also would help ameliorate the severe racial inequities that persist in Maryland. Nationwide, Black and Hispanic renters make up a disproportionate number of people facing evictions (12). In Baltimore City, 94% of respondents to rent court are Black (13). It is important to remember that eviction is not a temporary setback: it comes with a legal record, which bars families from public housing and prevents them from securing other safe housing options (14). Helping these historically marginalized families avoid eviction would be a significant step towards creating a more equitable society in Maryland.

On a personal note, I have seen first-hand how eviction can threaten someone's life. One shift in the emergency department, a young woman was brought in by an ambulance, scared, gasping for breath. A rapid test confirmed a diagnosis of COVID-19. When I talked to her, I learned that she had only gotten one dose of the vaccine. She had missed her appointment for her second dose because she had been evicted the week prior, and she was preoccupied with finding places to sleep. Somewhere amidst all the couch-surfing and bouncing between shelters in the following weeks, she contracted the virus. Now she was at risk of being placed on a ventilator.

Medicine is not always as complicated as it is made out to be. We have effective ways to prevent and treat many diseases. But working in an emergency department, you learn how commonly social issues, such as lack of housing, impede quality healthcare. Addressing these issues can have as profound an impact as any advancement in pharmaceuticals. Long-term, that means correcting the shortage of affordable housing in Maryland. Today, as members of the healthcare community, we strongly support SB0384 as a means to protect the well-being of Maryland residents and mitigate the destruction wrought by this pandemic.

Respectfully submitted,

Nicholas Brady, medical student
University of Maryland School of Medicine
Chesapeake Physicians for Social Responsibility
nbrady@som.umaryland.edu

Gwen DuBois MD, MPH
President
Chesapeake Physicians for Social Responsibility
gdubois@jhsph.edu

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SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Holly Powell

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of 46. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,
Holly Powell
2308 Cambridge Street
Baltimore, Maryland 21224
Showing Up for Racial Justice Baltimore

SURJ Stay of Eviction 2022 Feb 15.pdf

Uploaded by: Jan Kleinman

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 40. While I do not at present rent my dwelling, I have been a renter and feel for my neighbors who do rent. Also, I am a teacher. Have you ever tried teaching a child who is fast asleep? Those who are homeless or living in crowded conditions do sleep at school! **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

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We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

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It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,

Jan Kleinman

816 Union Ave, Baltimore

Showing Up for Racial Justice Baltimore

Health Care for the Homeless - SB 384 FAV - Stay o

Uploaded by: Joanna Diamond

Position: FAV

HEALTH CARE FOR THE HOMELESS TESTIMONY
IN SUPPORT OF
SB 384 – *Landlord and Tenant – Stay of Eviction Proceeding for
Rental Assistance Determination*

Senate Judicial Proceedings Committee
February 15, 2022



Health Care for the Homeless supports SB 384, which would provide for the stay of evictions for Failure To Pay Rent (FTPR) proceedings, on a case-by-case basis, if a judge determines that a good faith rental assistance application to resolve the debt is pending.

Since December 2021, 105,000 Maryland households are behind on rent and 62% of Maryland renters feel “very” or “somewhat” likely to be evicted in the next two months. There is an [estimated rent debt of \\$392 million](#). The good news is that Maryland has unprecedented eviction funding. Local emergency rental assistance programs (ERAPs) have enough money to pay the entirety of rent debt in the state. Yet, in the second half of 2021, there were nearly 27,000 eviction cases filed for non-payment of rent per month. **In that time, 705 households were evicted per month.** Evictions have hugely devastating consequences on a person’s life. It is simply commonsense that if an individual is awaiting the funding that can pay their rent and avoid eviction, our public policy should allow them to do that.

SB 384 would temporarily pause evictions, incentivize landlords to accept rental assistance, and align the pace of rental assistance with eviction processes for fairness and efficiency. While there is more than enough ERAP assistance to cover every household who is behind on rent due to FTPR, the disbursement of ERAP funding has not kept up with the pace of FTPR eviction cases. In December of 2021, over 23,000 FTPR cases were filed and over 3,000 FTPR warrants were served. However, just over 6,000 households were served with ERAP funds. SB 384 would remove that incentive for landlords to aggressively pursue eviction because the Court could pause the eviction while a good faith rental assistance application is pending. **No one should be evicted when there is money to pay the rent – especially during a pandemic.**

Health Care for the Homeless is a member of the Renters United Maryland coalition and asks that the Committee **issue a report of FAVORABLE on SB 384.**

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.

WDC Testimony SB0384-2022_FINAL.pdf

Uploaded by: JoAnne Koravos

Position: FAV



MONTGOMERY COUNTY, MARYLAND
WOMEN'S DEMOCRATIC CLUB

P.O. Box 34047, Bethesda, MD 20827

www.womensdemocraticclub.org

Senate Bill 0384

Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination
Senate Judicial Proceedings Committee – February 15, 202
SUPPORT

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2022 legislative session.

WDC is one of the largest and most active Democratic Clubs in our County with hundreds of politically active women and men, including many elected officials.

WDC urges the passage of SB0384 - Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination. This bill requires a judge to stay an eviction proceeding when the tenant has applied for rental assistance. If a judge has already entered a judgment in favor of the landlord during an eviction hearing, the bill requires the judge to stay the eviction order or whatever other order would be used to evict the tenant. This legislation provides greater relief to already stressed and cash-poor tenants; circumstances that disproportionately impact families, women, and minorities.

Severe racial and gender disparity in evictions exists in the State of Maryland. This is substantiated by *The Eviction Study*¹ a 2020 Baltimore study, which showed that approximately fifty percent more female-headed households were removed from their homes than male-headed households. Further, it showed that the number of Black residents evicted was three times higher than those of White residents evicted.

The COVID-19 pandemic also compounds the impact of evictions on health disparities. Black and Hispanic people have died of COVID-19 at higher rates than their White counterparts, and these same groups have experienced significantly more rent-related financial stress and continue to face disproportionately high eviction rates during the pandemic.

This bill provides relief to tenants who are already struggling financially and who face eviction, which leads to catastrophic consequences including potential loss of benefits, future housing insecurity, and adverse health effects.

We ask for your support for SB0384 and strongly urge a favorable Committee report.

Respectfully,

Leslie Milano
President

¹ Tim Thomas, Ian Kennedy, Alex Ramiller, Ott Toomet, & Jose Hernandez
May 8th, 2020

BaltimoreCounty_FAV_SB0384.pdf

Uploaded by: Joel Beller

Position: FAV



JOHN A. OLSZEWSKI, JR.
County Executive

JOEL N. BELLER
Acting Director of Government Affairs

JOSHUA M. GREENBERG
Associate Director of Government Affairs

MIA R. GOGEL
Associate Director of Government Affairs

BILL NO.: **SB 384**

TITLE: **Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination**

SPONSOR: **Senator Hettleman**

COMMITTEE: **Judicial Proceedings**

POSITION: **SUPPORT**

DATE: **February 15, 2022**

Baltimore County **SUPPORTS** Senate Bill 384 – Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination. This bill would require a court to issue a stay of eviction if the tenant is engaged in a good faith application for rental assistance.

At the onset of the COVID-19 Pandemic, County Executive Olszewski acted quickly in the face of rising rates of unemployment and growing economic insecurity to keep Baltimore County residents in their homes. The County created its first Department of Housing and Community Development, bringing its housing resources together to ensure a concerted and coordinated effort to prevent evictions throughout the pandemic and in years to come. With assistance from the State and Federal governments, and through innovative partnerships such as the STEP Program with United Way, the County has prevented thousands of resident evictions to date.

SB 384 would require a court to issue a stay of eviction if the tenant in question presents compelling evidence that they are engaged in a good faith application for rental assistance. This legislation would ensure that County residents taking active efforts to use the myriad resources available to them are not displaced from their homes in the eviction process. As the pandemic continues to keep residents in their homes, it is critical that eviction prevention resources are available at every step of the eviction process.

Accordingly, Baltimore County requests a **FAVORABLE** report on SB 384. For more information, please contact Joel Beller, Acting Director of Government Affairs at jbeller@baltimorecountymd.gov.

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Jonathan Smeton

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 40. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,
Jonathan Smeton
Baltimore, MD 21211
Showing Up for Racial Justice Baltimore

SB384_DRM_Support.pdf

Uploaded by: Kane Levings

Position: FAV



Empowerment. Integration. Equality.

1500 Union Ave., Suite 2000, Baltimore, MD 21211

Phone: 410-727-6352 | Fax: 410-727-6389

www.DisabilityRightsMD.org

SB 384 - Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination

Hearing before the Judicial Proceedings Committee,
Feb. 15, 2022

Position: SUPPORT (FAV)

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the Protection & Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be part of their communities and live in safe, decent, affordable and accessible housing.

We urge the Committee to issue a favorable report on SB 384.

Maryland has unprecedented funding to prevent evictions. Every dollar of our [estimated rent debt of \\$392 million](#) (Dec. 2021) can be paid by local emergency rental assistance programs (ERAPs) that have scaled up over the past year. Yet, in the second half of 2021, there were nearly 27,000 eviction cases filed for non-payment of rent per month. **In that time, 705 households were evicted per month.**

These programs are important for people with disabilities. Even prior to COVID-19, people with disabilities are overwhelmingly rent-burdened compared to their non-disabled peers and face greater housing insecurity.¹ On top of being overly rent-burdened, people with disabilities faced significant loss of income at a higher rate during

DECEMBER 2021

105,000

MD HOUSEHOLDS
BEHIND ON RENT

The Household Pulse Survey (Week 41) estimates that **62% of Maryland renters feel "very" or "somewhat" likely to be evicted** in the next 2 months. These renters are disproportionately people of color, and the majority have children in their households. Here's what else we know about them:

97% have a household income under \$50,000

84% lost employment income in the past 4 weeks

88% borrowed from friends/family to meet spending needs in the past 7 days

14% used their Child Tax Credit payment to meet spending needs in the past 7 days

¹ The current Social Security Income payment is \$794 a month, while the average price of a 1 bedroom in Maryland is \$1247, or 157% of a disabled person's income, leaving no money for food, transportation, clothing, or other necessities. Technical Assistance Collaborative, [Priced Out: The Housing Crisis for People with Disabilities](https://www.tacinc.org/resources/priced-out/), <https://www.tacinc.org/resources/priced-out/> (2021).

the COVID-19 pandemic than their non-disabled peers.² For the disability community, accessing and utilizing rental assistance programs may be the difference between remaining independent in their own communities instead of being forced into nursing homes, state hospitals, and institutions.³

There is no reason to not take advantage of these rental assistance programs. The purpose of the CARES Act and the new rental assistance programs is to protect public health by keeping as many impacted families in their homes and off of the streets.⁴ There is no reason not to ensure that this program is used for its purpose, which is to keep families housed. However, as indicated above, tenants are still facing eviction despite this unprecedented amount of money to help prevent a public health crisis from evictions.

SB 384 provides a structural fix by:

1. **Providing the Court Authority to Temporarily Pause the Eviction Process.** Right now, there is no statutory authority for the Court to pause the eviction process related to rent assistance. This sets up a nightmarish race between the ERAP agency/tenant and the eviction process. SB 384 mandates a stay on Failure to Pay Rent proceedings, on a case-by-case basis, if a judge determines that a good faith rental assistance application to resolve the debt is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*



73%

of surveyed pro bono attorneys in Maryland reported that in some, most, or all of their cases, **renters faced eviction while waiting** for Emergency Rental Assistance.

63%

of surveyed pro bono attorneys had cases in which renters **faced eviction after their landlords refused** to accept Emergency Rental Assistance.

2. **Incentivizing Landlords to Accept Rental Assistance.** Numerous landlords – both large corporations and smaller operators – are refusing to accept rental assistance. Some refuse it across the board. Others pick winners and losers – accepting the rental assistance for some who they like and refusing it for others. If the landlord wants to use a state-funded judicial process to collect the rent, they should be required to accept rental assistance. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

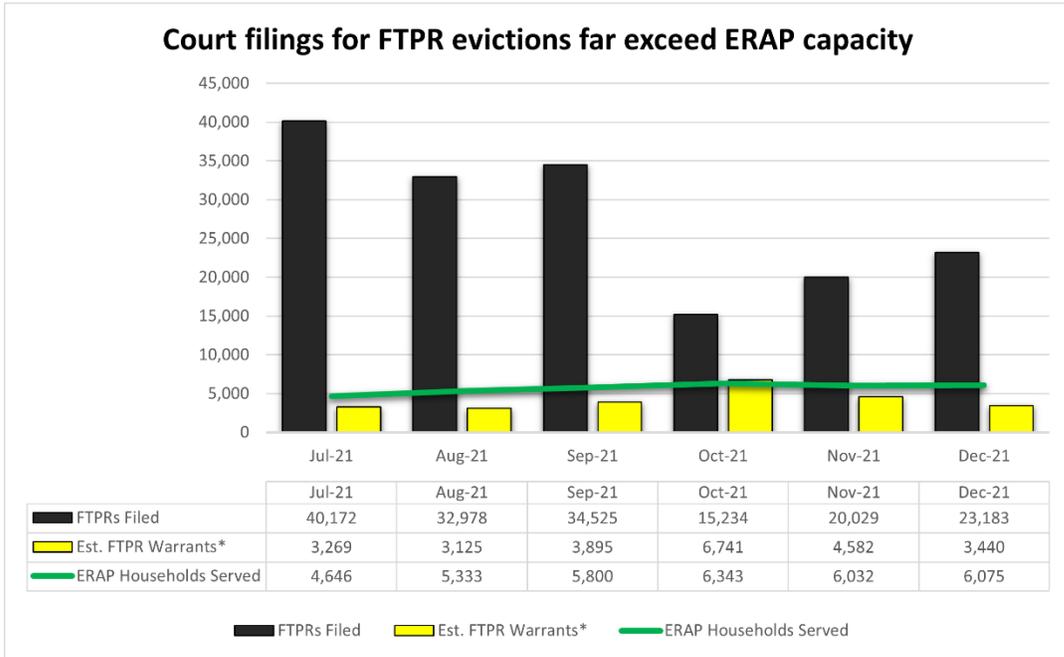
3. **Aligning The Pace of Rental Assistance With Eviction Processes For Fairness and Efficiency.** Even as local rental assistance programs have worked

² In 2020, 1 out of 5 people with disabilities lost their employment compared to 1 out of 7 people without disabilities. U.S. Bureau of Labor Statistics, *Persons with a Disability: Labor Force Characteristics Summary*, <https://www.bls.gov/news.release/disabl.nr0.htm>

³ K. C. Lakin, S. Larson, P. Salmi, and A. Webster (2010). *Residential Services for Persons with Developmental Disabilities: Status and Trends through 2009*, University of Minnesota, <http://rtc.umn.edu/docs/risp2009.pdf>

⁴ Sheen J, Nande A, Walters EL, et al. *The effect of eviction moratoriums on the transmission of SARS-CoV-2*. *medRxiv*. 2020; 10.1101/2020.10.27.20220897. Accessed November 11, 2020

overtime to innovate solutions that make landlords whole while keeping residents housed, they were exceedingly outpaced by eviction filings. In July 2021, the ratio of FTPR eviction filings to households served by ERAPs was nearly **9:1**. Even with the incredible ramp-up effort over summer and fall, plus the implementation of new notice requirements under HB18 (Oct. 2021), that ratio was still approximately **4:1**.



Amid this tide of eviction litigation, ERAP programs have had to prioritize applications in which tenants face pending evictions. They have collaborated with local sheriffs to identify addresses slated for eviction. The work of distributing federal relief funds broadly has become the urgent triaging of scheduled evictions. The cost of this dynamic has been to place timely applications on hold, to have tenants waiting months for assistance, until they are on the brink of losing their home. This is not fair or efficient. It rewards landlords who aggressively pursue eviction by pushing them to the front of the line while leaving behind those landlords who are cooperating with ERAP programs. SB 384 would remove that incentive for landlords to aggressively pursue eviction because the Court could pause the eviction while a good faith rental assistance application is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

4. Adopting a National Best Practice of Pausing Eviction for Rental Assistance.

HB 674/SB 384 adopts a best practice learned in the wake of COVID-19 that has been adopted in some form by at least **16 other states**. "Eviction stays are a critical intervention that delay final judgment and give renters the opportunity to apply for ERA and avoid evictions." - [National Low Income Housing Coalition](#)

[At least 16 other state and local jurisdictions have enacted protections for tenants who have applied for rental assistance by temporarily staying the eviction process.](#) Additionally, some states

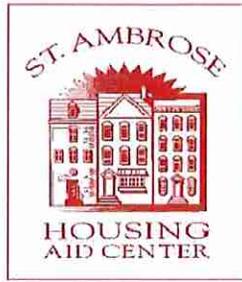
have issued guidance that landlords who refuse rental assistance violate the state's source of income law. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

Disability Rights Maryland is a member of the Renters United Maryland coalition and asks that the Committee **issue a report of FAVORABLE on SB 384**. If you have any questions, please contact: Cory Warren, Esq at Cwarren@disabilityrightsmd.org or 410-727-6352 ext. 2472.

SB384 Testimony - St. Ambrose - FAV.pdf

Uploaded by: Katherine Donnelly

Position: FAV



Hearing before the Judicial Proceedings Committee, Feb. 15, 2022

SB 384 - Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance

Position: SUPPORT (Favorable)

February 15, 2022

Honorable Chair Smith and Members of the Committee:

I am writing on behalf of St. Ambrose Housing Aid Center, Inc. (“St. Ambrose”) to urge the Judicial Proceedings Committee to issue a favorable report on SB 384, which gives Maryland Courts the authority to pause an eviction proceeding while a tenant seeks rental assistance and prevents landlords who refuse rental assistance funds from seeking eviction for non-payment of rent.

St. Ambrose is a Baltimore based non-profit whose mission is to create, preserve, and maintain equal housing opportunities for low- and moderate-income people primarily in Baltimore City. The Legal Services Department at St. Ambrose provides pro bono legal services which helps to preserve housing stability for an average of 1000 residents a year. Among these are people facing the possibility of eviction for failure to pay rent. In October 2021 alone, our staff of four attorneys received nearly 60 calls from tenants seeking legal advice.

One of our clients is a mother who had to leave her job because of medical complications during her pregnancy last fall. When she couldn’t afford her rent, she applied for Baltimore City’s emergency rental assistance program. Though she qualified for help, her landlord refused to participate. Instead, they filed multiple failure to pay rent actions against her and nearly evicted her (and her kids) twice, including one eviction scheduled for just *this week*. Now, her landlord has finally decided to accept rental assistance funds — a win for my client! — but she still endured months of extreme stress, sleepless nights, and fear about finding a safe and healthy place for her kids to live. She is not alone: in a survey of pro bono attorneys across Maryland, 73% had cases where a client faced eviction while a rental assistance application was pending. Despite Maryland’s record-setting funding for eviction prevention, in the second half of 2021, there were nearly 27,000 eviction cases filed for non-payment of rent *per month*.

SB 384 would give judges discretion to stay proceedings as rental assistance applications are evaluated and incentivize landlords to accept rental assistance funds from tenants before seeking an eviction. Accordingly, we ask for your favorable report on SB 384. Thank you.

Sincerely,

A large, stylized handwritten signature in blue ink, appearing to read "Gerard Ioab".

Gerard Ioab
Executive Director
St. Ambrose Housing Aid Center

SB 384 - Written Testimony - SENATE.pdf

Uploaded by: Katie Davis

Position: FAV



**SB 384: Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination
HEARING BEFORE THE JUDICIAL PROCEEDINGS COMMITTEE, FEBRUARY 15, 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 thought leader, coordinator 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 respond to acute legal needs identified in areas across the state by piloting and operating innovative pro bono 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 as well as extended representation services in both jurisdictions for clients in tenant holding over, breach of lease and escrow actions. Often among the poorest residents of Baltimore City and Baltimore County, tenants appearing in Rent Court 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 in order to help tenants stay housed. **Based upon our expertise working with these tenants, PBRC supports SB 384 because it will prevent unnecessary judgments and evictions, encourage landlords to accept rental assistance funds and bring Maryland in line with other states that have already adopted similar best practices of pausing eviction proceedings based upon the availability of rental assistance.**

No one should be evicted when there is money to pay the rent – especially during a pandemic.

PBRC supports SB 384 because it will keep tenants housed by giving them a meaningful opportunity to access Rental Assistance *before* they have a judgment or eviction date. In 2021, Congress passed the Consolidated Appropriations Act, 2021 (Division N of P.L. 116-260) and the American Rescue Plan Act of 2021 (P.L. 117-2), in part to prevent evictions by providing financial assistance to landlords and tenants when the tenant has fallen behind on rent due to economic hardship related to the Coronavirus pandemic. However, these funds cannot fulfill their purpose of preventing eviction and making landlords whole if landlords are permitted to proceed with the eviction process when there is federal money available to pay the rent. SB 384 will help ensure access to these funds by mandating a stay to a Failure to Pay Rent proceeding if a judge determines that a good faith rental assistance application is pending.

In addition to keeping tenants housed, SB 384 would prevent some tenants from suffering the negative effects of Rent Court judgments. Even if a tenant is not ultimately evicted, the judgment itself can negatively impact a tenant’s ability to stay housed in the long term. A tenant who receives multiple judgments can lose the right to redeem - to avoid an eviction by paying the amount owed on a judgment. In addition, judgments

are public records which impair a tenant's ability to find future housing, impact their credit report and potentially diminish their ability to secure employment.

If a judgment has been entered, SB 384 will allow the Court to stay the eviction until a determination is made as to the tenant's eligibility for Rental Assistance and the funds are disbursed. These tenants are exactly the people Congress had in mind when it passed the legislation creating Rental Assistance, and they should have a meaningful chance to access the help their Congressional Representatives and Senators have provided.

At our TVLD clinics, we have seen countless judgments entered against tenants although they have applications pending with Rental Assistance. We have seen numerous landlords act on those judgments, requesting an eviction even though rental assistance funds are available and forthcoming. In addition to requiring the resources of the Judiciary, as well as local law enforcement agencies responsible for evictions, these actions cause unnecessary stress of tenants. Recently a PBRC staff attorney received a call from a tenant in great distress, desperate to learn if there was anything she could do to stop a scheduled eviction. The tenant had already applied to Rental Assistance but had not received any funds. The Staff Attorney coordinated with Rental Assistance to expedite her application so that her landlord could receive the funds in time to stop the eviction. Thankfully, there was a positive result for all parties concerned – the landlord was paid the money owed, and the tenant got to stay in her home. This story is one of many where the strain on the Court, law enforcement, legal services providers, and the tenant herself could have been prevented if SB 384's mandatory stay provisions had been in effect. In a recent survey 73% of pro bono attorneys in Maryland reported that in some, most, or all of their cases, renters faced eviction while waiting for rental assistance funds.

Although less common, PBRC also hears from tenants whose landlords have categorically refused to accept Rental Assistance. This flies in the face of the Congressional intent in making these funds available and results in increased strain on the Judiciary, law enforcement, and tenants alike. **SB 384 would encourage landlords to accept federal funds and allow all tenants the opportunity to access the help they need as intended by Congress** by preventing landlords from using the courts to evict tenants when Rental Assistance funds are available. Should it be determined that a tenant is not eligible for Rental Assistance, the landlord may proceed with eviction as usual.

There can be no doubt that the COVID-19 pandemic has affected us all, but its effects have been particularly damaging to low-income Maryland tenants. Congress threw them a lifeline through Rental Assistance, and it is of great importance that they be permitted to grab it. **SB 384 will help tenants stay in their homes while ensuring that landlords are made whole financially.**

For the above reasons, **PBRC urges a FAVORABLE report on SB 384.**

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

kdavis@probonomd.org • 443-703-3049

SB 384 CLS Favorable.pdf

Uploaded by: Kayla Williams

Position: FAV



**SB 384 - Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance
Determination**

**Hearing before the Judicial Proceedings Committee,
Feb. 15, 2022**

Position: SUPPORT (FAVORABLE)

Community Legal Services of Prince George’s County, Inc., is a non-profit organization established to provide quality legal services to low-income residents in Prince George County. We provide representation to tenants facing eviction in both Prince George’s and Anne Arundel County.

Throughout the pandemic, we represented numerous tenants who applied for rental assistance and had pending applications on the date of their hearing. Many of these tenants suffered from financial hardship as a result of the pandemic and found it impossible to get caught up. Unfortunately, the landlord/ tenant statutes, as they are currently written, do not allow the court much, if any, discretion, to delay an eviction where a tenant has applied for rental assistance and has done their due diligence to obtain financial support. As a result, many tenants have received judgments and/ or have been evicted while their rental assistance applications were pending.

Maryland has unprecedented funding to prevent evictions. Every dollar of our [estimated rent debt of \\$392 million](#) (Dec. 2021) can be paid by local emergency rental assistance programs (ERAPs) that have scaled up over the past year. Yet, in the second half of 2021, there were nearly 27,000 eviction cases filed for non-payment of rent per month. **In that time, 705 households were evicted per month.**

SB 384 provides a structural fix by:

DECEMBER 2021

105,000

**MD HOUSEHOLDS
BEHIND ON RENT**

The Household Pulse Survey (Week 41) estimates that **62% of Maryland renters feel "very" or "somewhat" likely to be evicted** in the next 2 months. These renters are disproportionately people of color, and the majority have children in their households. Here's what else we know about them:

- 97%** have a household income under \$50,000
- 84%** lost employment income in the past 4 weeks
- 88%** borrowed from friends/family to meet spending needs in the past 7 days
- 14%** used their Child Tax Credit payment to meet spending needs in the past 7 days

1. **Providing the Court Authority to Temporarily Pause The Eviction Process.** Right now, there is no statutory authority for the Court to pause the eviction process related to rent assistance. This sets up a nightmarish race between the ERAP agency/tenant and the eviction process. SB 384 mandates a stay on Failure To Pay Rent proceedings, on a case-by-case basis, if a judge determines that a good faith rental assistance application to resolve the debt is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*



73%

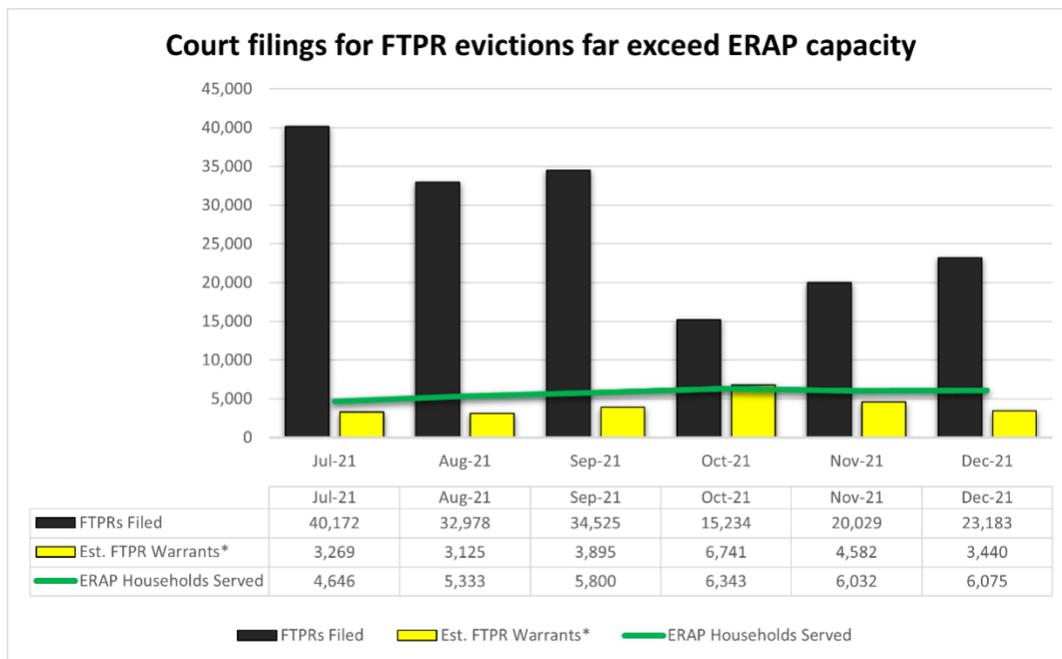
of surveyed pro bono attorneys in Maryland reported that in some, most, or all of their cases, **renters faced eviction while waiting** for Emergency Rental Assistance.

63%

of surveyed pro bono attorneys had cases in which renters **faced eviction after their landlords refused** to accept Emergency Rental Assistance.

2. **Incentivizing Landlords to Accept Rental Assistance.** Numerous landlords – both large corporations and smaller operators – are refusing to accept rental assistance. Some refuse it across the board. Others pick winners and losers – accepting the rental assistance for some who they like and refusing it for others. If the landlord wants to use a state-funded judicial process to collect the rent, they should be required to accept rental assistance. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

3. **Aligning The Pace of Rental Assistance With Eviction Processes For Fairness and Efficiency.** Even as local rental assistance programs have worked overtime to innovate solutions that make landlords whole while keeping residents housed, they were exceedingly outpaced by eviction filings. In July 2021, the ratio of FTFR eviction filings to households served by ERAPs was nearly **9:1**. Even with the incredible ramp-up effort over summer and fall, plus the implementation of new notice requirements under HB18 (Oct. 2021), that ratio was still approximately **4:1**.



Amid this tide of eviction litigation, ERAP programs have had to prioritize applications in which tenants face pending evictions. They have collaborated with local sheriffs to identify addresses slated for eviction. The work of distributing federal relief funds broadly has become the urgent triaging of scheduled evictions. The cost of this dynamic has been to place timely applications on hold, to have tenants waiting months for assistance, until they are on the brink of losing their home. This is not fair or efficient. It rewards landlords who aggressively pursue eviction by pushing them to the front of the line while leaving behind those landlords who are cooperating with ERAP programs. SB 384 would remove that incentive for landlords to aggressively pursue eviction because the Court could pause the eviction while a good faith rental assistance application is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

4. Adopting a National Best Practice of Pausing Eviction for Rental Assistance.

HB 674/SB 384 adopts a best practice learned in the wake of COVID-19 that has been adopted in some form by at least **16 other states**. "Eviction stays are a critical intervention that delay final judgment and give renters the opportunity to apply for ERA and avoid evictions." - [National Low Income Housing Coalition](#)

[At least 16 other state and local jurisdictions have enacted protections for tenants who have applied for rental assistance by temporarily staying the eviction process.](#) Additionally, some states have issued guidance that landlords who refuse rental assistance

violate the state's source of income law. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

Community Legal Services of Prince George's County, Inc., is a member of the Renters United Maryland coalition and asks that the Committee **issue a FAVORABLE report on SB 384**. If you have any questions, please contact: Kayla Williams, Supervising Attorney, Williams@clspgc.org, 240-391-6532 Ext. 2.

SB 384_Consumer Protection Division_Fav_2022.pdf

Uploaded by: Kira Wilpone-Welborn

Position: FAV

BRIAN E. FROSH
Attorney General

ELIZABETH F. HARRIS
Chief Deputy Attorney General

CAROLYN QUATTROCKI
Deputy Attorney General



WILLIAM D. GRUHN
Chief
Consumer Protection Division

Writer's Fax No.

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION

Writer's Direct Dial No.
410-576-6986
kwilponewelborn@oag.state.md.us

February 14, 2022

To: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

From: Kira Wilpone-Welborn, Assistant Attorney General
Consumer Protection Division

Re: Senate Bill 384 – Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General (the “Division”) supports Senate Bill 384 sponsored by Senator Shelly Hettleman, which would assist the collective efforts of state and federal leaders to stymie the disruptive impacts of the COVID-19 pandemic on renter households.

The COVID-19 pandemic continues to financially impact renters resulting in housing instability for renter households across Maryland. Through the CARES Act and the American Rescue Plan, the federal government has awarded Maryland over \$250 million dollars in rental assistance and eviction prevention funds.¹ Notwithstanding, the Division has received repeated complaints from consumers, advocates, and rental assistance program administrators that many Maryland landlords are refusing to provide the information necessary for tenants to complete applications for rental relief assistance or to accept rental assistance funds awarded to eligible renters. Instead, many Maryland landlords are filing failure to pay rent actions seeking to evict vulnerable renters who have been negatively impacted by the COVID-19 pandemic from their housing. Senate Bill 384 will assist rental relief assistance providers in successfully distributing Maryland’s share of the federal rental assistance funds and bolster housing stability for Maryland renter households as the COVID-19 pandemic’s deleterious effects persist.

Accordingly, the Division requests that the Judicial Proceedings Committee give Senate Bill 384 a favorable report.

¹See <https://governor.maryland.gov/2021/03/17/governor-hogan-submits-1-08-billion-supplemental-budget-focused-on-rental-assistance-higher-education-and-transportation/>.

The Honorable William C. Smith, Jr.

Senate Bill 384

February 11, 2022

Page Two

cc: The Honorable Shelly Hettleman
Members, Judicial Proceedings Committee

sb384, tenant rights, eviction stay, 2022.pdf

Uploaded by: Lee Hudson

Position: FAV



Delaware-Maryland Synod
Evangelical Lutheran Church in America
God's work. Our hands.

Testimony prepared for the
Judicial Proceedings Committee
on
Senate Bill 384
February 15, 2022
Position: **Favorable**

Mr. Chairman and members of the Committee, thank you for the opportunity to testify for the rights of tenants in legal disputes with landlords. I am Lee Hudson, assistant to the bishop for public policy in the Delaware-Maryland Synod, Evangelical Lutheran Church in America. We are a faith community with three synods in every part of Maryland.

As a resident of, and clergy in the City of Baltimore, I am familiar with eviction as an unfortunate and familiar part of the social landscape. However, the problem of landlord-tenant disputes and evictions is not limited to any one jurisdiction.

One element of the problem is the lack of affordable housing everywhere in the nation, and so, in the State. Our faith community has represented its concerns about that previously. Eviction prompts a subsequent concern for the rights and dignity of people before law.

The pandemic exacerbated a pre-existing condition in housing. Loss of work, wage, and related social supports brought the housing crisis forward. "Maryland Matters" reported in August 2021: *Some 129,000 households in Maryland are currently behind on rent, according to the National Equity Atlas. Roughly 78% of those households include people of color, according to the National Equity Atlas data, and 62% make less than \$50,000 a year.*

Senate Bill 384 will do little to address this crisis. But it may postpone eviction, homelessness, and punishment for indigence among those thrown into the legal system (often without representation); and who may qualify for authorized housing assistance and await determination of eligibility. It's the least that should be done and the State ought to do it.

We seek a favorable report.

Lee Hudson

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Lindsay Keipper

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 46, and **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The National Equity Atlas¹ estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes social scientists have documented among children who have experienced eviction².

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's Attorney General Brian E. Frosh has said, "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations."³ The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,
Lindsay Keipper
2425 Fleet St.
Showing Up for Racial Justice Baltimore

¹ <https://nationalequityatlas.org/rent-debt>

² See for example https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf

³ <https://www.marylandmatters.org/2021/01/04/tenants-advocates-and-landlords-push-for-rental-assistance-at-senate-briefing/>

support SB 384 - Moratorium on Evictions for Rente

Uploaded by: Linnie Girdner

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

I am a resident of District 21 and a member of Showing Up for Racial Justice. **I am testifying in support of Senate Bill 384.**

This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

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We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,

Linda Girdner

941 Fall Ridge Way

Gambrills, MD 21054

SB 384_CC_Klingenmaier_FAV.docx.pdf

Uploaded by: Lisa Klingenmaier

Position: FAV

Senate Bill 384
Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance

Senate Judicial Proceedings Committee
February 15, 2022

Support

Catholic Charities of Baltimore strongly supports SB 384, which is an emergency bill that allows tenants to present in eviction proceedings evidence that they are awaiting a determination in a good-faith application for rental assistance, and if the evidence is satisfactory the court must stay the proceedings until the application has been processed and disbursement of any funds awarded.

Inspired by the gospel to love, serve and teach, Catholic Charities provides care and services to improve the lives of Marylanders in need. As the largest human service provider in Maryland working with tens of thousands of youth, individuals, and families each year, we see the traumatic impact of eviction and housing displacement every day. Homelessness and housing instability are public health crises, and the failure of Maryland’s safety net systems to assist struggling low-income renters has only been exacerbated by the pandemic. COVID-19 has laid to bare longstanding inequities in our systems, including inequitable eviction processes. We strongly support SB 384, and the examples below outline how we see this legislation benefiting those we serve.

SB 384 will reduce the incidence of homelessness by granting tenants the necessary time it takes to access critical eviction assistance. We provide homeless services across central and western Maryland, and often those we work with tell us their households spiraled into homelessness due to an eviction they faced without support. The stories we hear mirror what Census shows: in January 2022, just under 150,000 Maryland households are at risk of eviction.¹ Stable housing is a cornerstone of stable families, and there is historic levels of funding available for emergency rental assistance programs (ERAP), but accessing these dollars takes time. Unfortunately, the court does not currently have the authority to temporarily pause eviction proceedings so that tenants can complete their application process, creating a frantic race between organizations facilitating ERAP distribution and the eviction process. No one should be evicted – especially in an ongoing pandemic – when there are dedicated funding sources available to pay for unmet rent.

Temporarily pausing eviction proceedings for rental assistance determination assists in the social and economic recovery from COVID. Without stable shelter, families are more susceptible to adverse childhood experiences (ACEs), hunger, behavioral health crises, and poor health. These past two years in our head start programs our caseworkers have talked to hundreds of parents that have told us they are at risk of eviction and looking for assistance. The pandemic has demonstrated the gaping holes in our safety net programs, especially for people of color. Ensuring that emergency rental assistance is accessible and functional improves the socioeconomic outlook of low-income families at risk of eviction, and is a national best practice followed by 16 other states.

Changing our eviction process is sound fiscal policy. Evictions further entrench families into homelessness, poverty, and ACEs, which are extraordinarily expensive to address. Maryland should be working to prevent loss of housing, especially among households with children. Safe and reliable housing provides the stability needed to secure and maintain employment, promote good health, invest in educational opportunities and ultimately saves the state resources that otherwise go to maintain shelters and state-funded safety net programs. We know our individuals and families thrive in economically secure households with stable housing, and thriving families means a thriving economy.

On behalf of the individuals and families we work with, Catholic Charities of Baltimore appreciates your consideration, and urges the committee to issue a favorable report for SB 384.

Submitted By: Lisa Klingemaier, Assistant Director of Advocacy

¹ US Census. 2022. Census Household Pulse Survey Data. <https://www.census.gov/data/tables/2021/demo/hhp/hhp41.html>

SB 384 - ACDS 2022 Support - ERAP Pause on Evictio

Uploaded by: Lisa Sarro

Position: FAV



SB 384 - Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance

Determination

**Hearing before the Judicial Proceedings Committee,
Feb. 15, 2022**

Position: SUPPORT (FAV)

Arundel Community Development Services, Inc. (ACDS) serves as Anne Arundel County’s nonprofit housing and community development agency, helping Anne Arundel County residents and communities thrive through the provision of safe and affordable housing opportunities, programs to prevent and end homelessness, and community development initiatives. In fulfilling this role, ACDS administers grants to nonprofit partners, directly develops and implements programming, and advises the County on housing and community development policy initiatives. **ACDS administers Anne Arundel County’s Emergency Rental Assistance Program (ERAP) by operating its own tenant-based rental assistance program and by working with sub-grantees who also distribute the County’s ERAP funds.**

We urge the Committee to issue a favorable report on SB 384.

In the wake of the COVID-19 pandemic, Maryland has unprecedented funding to prevent evictions. However, the lack of a procedural mechanism for inserting the availability of that rental assistance funding into the legal process for evictions is resulting in unnecessary evictions in cases where rental assistance is available to prevent those evictions. This bill presents an effective, reasonable solution by:

1. Providing the Court Authority to Temporarily Pause the Eviction Process.

Right now, there is no statutory authority for the Court to pause the eviction process related to rent assistance. This sets up a nightmarish race between the ERAP agency/tenant and the eviction process. SB 384 mandates a stay on Failure to Pay Rent proceedings, on a case-by-case basis, if a judge determines that a good faith rental assistance application to resolve the debt is pending. The time can then be used to complete processing of rental assistance applications so that *tenants will not be evicted when there is money to pay the rent.*

2. **Aligning the Pace of Eviction Processes with the Ability of ERAPs to Process Applications and Issue Payments.**

Virtually all emergency rental assistance programs prioritize and rush the processing of applications for tenants scheduled for eviction. However, finding out who is going to be evicted, and when, a reasonable amount of time before the eviction actually takes place is like trying to finding the proverbial needle in a haystack. Every jurisdiction handles evictions differently, and information available to try to sleuth out the when, where and who of evictions is completely inconsistent across jurisdictions. Failure to pay rent cases are largely paper based files, so online access to eviction information that would allow ERAPs to plan ahead is non-existent. As a result, in order to make use of available rental assistance funds to prevent scheduled evictions, many ERAPs, including ACDS, have had to come up with elaborate, pieced-together methods for dealing with emergencies, involving local Sheriffs or constables, court clerks, judges, property managers, tenants and ERAP staff and legal services providers who are *constantly in emergency-mode* to prevent evictions often with a few days' advance notice, or less.

The ACDS rental assistance program now has access to the Sheriff's eviction calendar so **we can learn *where and when*** evictions are scheduled to take place, ***but we often have no idea who*** is scheduled to be evicted without incredibly labor-intensive staff activity contacting all the locations where evictions are scheduled so we can determine if tenants with rental assistance applications are scheduled. Other jurisdictions have access to warrants for possession issued by the courts, so ***they know who*** is at risk of eviction, ***but they have no idea when*** those evictions will be scheduled to take place, so they are tasked with locating all those tenants who have applications for rental assistance pending in a race to beat the eviction date. Still others don't have access to any hints regarding upcoming evictions, so their first notice is a panicked call from someone who has been told they are scheduled for eviction.

Once tenants with evictions are scheduled are identified, all chaos breaks loose. Staff are pulled off processing non-emergency applications to process the emergency application, tenants are connected with legal services to have motions for stays filed with the court, court clerks are asked to rush the motions to a judge for emergency review and ruling, judges have to rule on an emergency basis, and the Sheriff has to be brought into the loop so they know whether or not the court has stopped a scheduled eviction or the rental assistance program has worked out an arrangement with the landlord to cancel the eviction. This bill would slow down the process so everyone can breathe, so disruption to several agencies can be avoided, so extreme distress to tenants can be avoided, and so funds can still be paid to landlords in a reasonable amount of time so ERAP-eligible tenants can remain housed.

3. Reducing Unfairness to Landlords in the Distribution of Rental Assistance Funding by Eliminating the Incentive for Landlords to Sue Tenants and Schedule Evictions.

As noted, virtually all emergency rental assistance programs prioritize and rush the processing of applications for tenants scheduled for eviction. Many landlords cooperate with their tenants and our rental assistance program so that rental assistance applications can be processed and landlords can be paid without the involvement of the court process. Or, even if the landlord does file and get a judgment for eviction, many landlords will hold off on evicting the tenants against whom they have judgments so that rental assistance can be processed. However, our rental assistance program has noticed a pattern with certain landlords in Anne Arundel County – less than ten or so – that routinely schedule evictions for the sole purpose of getting their tenants’ applications prioritized and bumped to the front of the line for processing. This results in extreme disruption to the processing of applications from tenants with landlords who have not manipulated the system to “jump the line,” and results in the cooperative landlords having to wait longer than the landlords manipulating the system. This bill would **eliminate that unfairness by eliminating the ability of landlords to jump to the front of the line by scheduling their tenants’ evictions.**

For the reasons noted above, we urge a FAVORABLE report on HB 724.

SB 384 - MoCo_Elrich_FAV (GA 22).pdf

Uploaded by: Marc Elrich

Position: FAV



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

February 15, 2022

TO: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

FROM: Marc Elrich
County Executive

RE: SB 384, Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance
Determination, Support

Senate Bill 384 furthers Montgomery County's priority to mitigate eviction and keep residents housed as it would require the District Court to stay proceedings in an action for failure to pay rent while the tenant seeks rental assistance from a rental assistance program.

Under the bill, in an action to repossess a premises for failure to pay rent, if the tenant provides the court evidence that the tenant is currently waiting for a determination in response to a rental assistance application, the court must stay the proceeding if a judgment has not been entered, or, if judgment is entered in favor of the landlord, stay any warrant of restitution or order to surrender the premises until the rental assistance application is resolved and any funds are disbursed.

Senate Bill 384 is necessary and common sense: it allows rental assistance programs throughout the state the time necessary to fulfill their purpose of providing qualified tenants with the financial assistance they need in order to remain in their homes. By staying proceedings until the outcome of an emergency rental assistance program application is determined, tenants will remain housed and avoid the myriad negative impacts of losing possession of their home while help is on the way.

The bill also prevents a landlord who refuses to accept rental assistance from an agency that distributes funds for rental assistance from obtaining relief through an action to repossess a premises or initiating any other judicial action to collect the rent sought in the complaint. I support the State using the policy tools available to encourage proper utilization of emergency rental assistance programs by both landlords and tenants. Helping tenants stay in their homes is vitally important; displacement is not good for families or the community, and this bill helps prioritize stable housing. I respectfully urge the committee to issue a favorable report.

SB 384 PJC Testimony FAV.pdf

Uploaded by: Matt Hill

Position: FAV

**SB 384 - Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance
 Determination**

Hearing before the Judicial Proceedings Committee, Feb. 15, 2022

Position: SUPPORT (FAV)

Public Justice Center (PJC) urges the Committee to issue a favorable report on SB 384.

Maryland has unprecedented funding to prevent evictions. Every dollar of our [estimated rent debt of \\$392 million](#) (Dec. 2021) can be paid by local emergency rental assistance programs (ERAPs) that have scaled up over the past year. Yet, in the second half of 2021, there were nearly 27,000 eviction cases filed for non-payment of rent per month. **In that time, 705 households were evicted per month.**

SB 384 provides a structural fix by:

- 1. Providing the Court Authority to Temporarily Pause The Eviction Process.** Right now, there is no statutory authority for the Court to pause the eviction process related to rent assistance. This sets up a nightmarish race between the ERAP agency/tenant and the eviction process. SB 384 mandates a stay on Failure To Pay Rent proceedings, on a case-by-case basis, if a judge determines that a good faith rental assistance application to resolve the debt is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*



73%

of surveyed pro bono attorneys in Maryland reported that in some, most, or all of their cases, **renters faced eviction while waiting** for Emergency Rental Assistance.

63%

of surveyed pro bono attorneys had cases in which renters **faced eviction after their landlords refused** to accept Emergency Rental Assistance.

DECEMBER 2021

105,000

**MD HOUSEHOLDS
 BEHIND ON RENT**

The Household Pulse Survey (Week 41) estimates that **62% of Maryland renters feel "very" or "somewhat" likely to be evicted** in the next 2 months. These renters are disproportionately people of color, and the majority have children in their households. Here's what else we know about them:

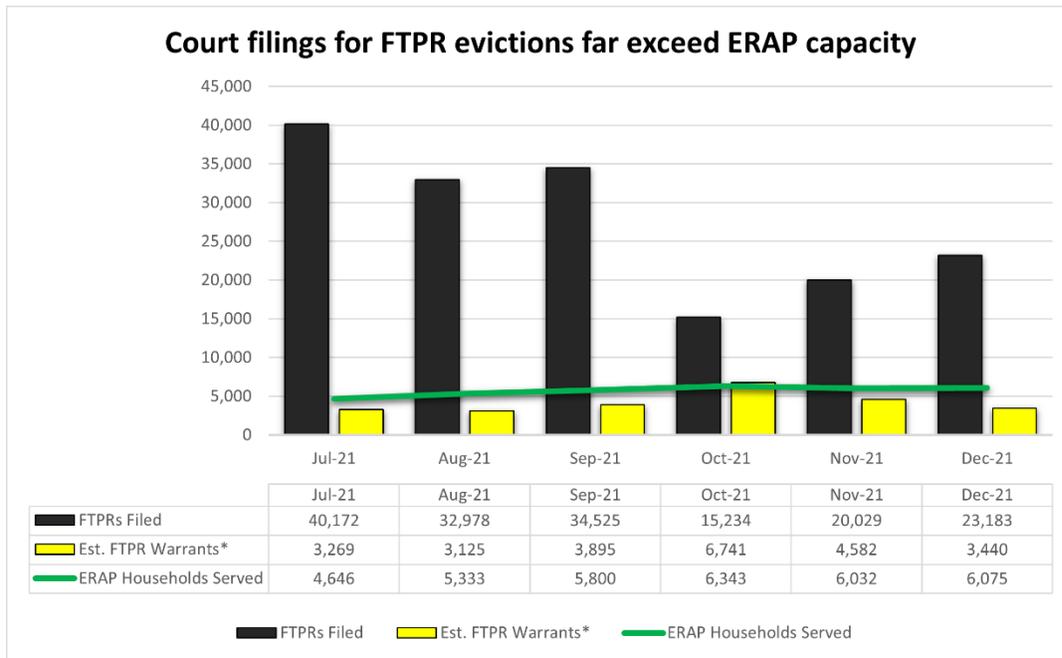
- 97%** have a household income under \$50,000
- 84%** lost employment income in the past 4 weeks
- 88%** borrowed from friends/family to meet spending needs in the past 7 days
- 14%** used their Child Tax Credit payment to meet spending needs in the past 7 days

- 2. Incentivizing Landlords to Accept Rental Assistance.** Numerous landlords – both large corporations and smaller operators – are refusing to accept rental assistance. Some refuse it across the board. Others pick winners and losers – accepting the rental assistance for some who they like and refusing it for others. If the landlord wants to use a state-

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

funded judicial process to collect the rent, they should be required to accept rental assistance. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

3. Aligning The Pace of Rental Assistance With Eviction Processes For Fairness and Efficiency. Even as local rental assistance programs have worked overtime to innovate solutions that make landlords whole while keeping residents housed, they were exceedingly outpaced by eviction filings. In July 2021, the ratio of FTPR eviction filings to households served by ERAPs was nearly **9:1**. Even with the incredible ramp-up effort over summer and fall, plus the implementation of new notice requirements under HB18 (Oct. 2021), that ratio was still approximately **4:1**.



Amid this tide of eviction litigation, ERAP programs have had to prioritize applications in which tenants face pending evictions. They have collaborated with local sheriffs to identify addresses slated for eviction. The work of distributing federal relief funds broadly has become the urgent triaging of scheduled evictions. The cost of this dynamic has been to place timely applications on hold, to have tenants waiting months for assistance, until they are on the brink of losing their home. This is not fair or efficient. It rewards landlords who aggressively pursue eviction by pushing them to the front of the line while leaving behind those landlords who are cooperating with ERAP programs. SB 384 would remove that incentive for landlords to aggressively pursue eviction because the Court could pause the eviction while a good faith rental assistance application is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

4. Adopting a National Best Practice of Pausing Eviction for Rental Assistance.

HB 674/SB 384 adopts a best practice learned in the wake of COVID-19 that has been adopted in some form by at least **16 other states**. "Eviction stays are a critical intervention that delay final judgment and give renters the opportunity to apply for ERA and avoid evictions." - [National Low Income Housing Coalition](#)

[At least 16 other state and local jurisdictions have enacted protections for tenants who have applied for rental assistance by temporarily staying the eviction process.](#) Additionally, some states have issued guidance that landlords who refuse rental assistance

violate the state's source of income law. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

Ms. Di'jhae Flowers is a Public Justice Center client who could not be present at the hearing but asked that we share her experience

My name is Di'jhae Flowers and I am a Baltimore City tenant. In August 2021, I was forced to quit my job in order to take care of my son. I am the sole caretaker of my son, and at the time he was running very high fevers and had chills. Although my son did not have COVID-19, he was not permitted to go to daycare because of COVID-19 policies that were in place to protect the children. My employer would not give me the time off I needed to care for my son, so I had to quit.

As a result of my sudden loss of income I soon fell behind on rent and submitted a rental assistance application to the Baltimore City Community Action Partnership (BCCAP) Eviction Prevention Program in August 2021. After completing my application, I call the rental assistance office every other week to ask for an update. While this was going on I was receiving multiple Failure To Pay Rent court summons from my landlord. When I attended a court hearing in December, I recall my landlord's representative saying that they were only approving rental assistance for certain accounts.

It was not until January 2022 that I received word that I had been approved for rental assistance. That same week I was informed by BCCAP that my landlord was not accepting rental assistance in my case. I realized then that I would have to come up with the money on my own. I want legislators to know that my landlord, Maryland Management Company, states on their website that they accept rental assistance. Without rental assistance, I do not know how I will be able to pay back my arrears.

Public Justice Center is a member of the Renters United Maryland coalition and asks that the Committee **issue a report of FAVORABLE on SB 384**. If you have any questions, please contact: Matt Hill, hillm@publicjustice.org, 410-625-9409, ext. 229.

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

Written. Favorable SB 384.pdf

Uploaded by: Matthew Losak

Position: FAV



SB 384 - Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance

Determination

Hearing before the Judicial Proceedings Committee,
Feb. 15, 2022

Position: SUPPORT (FAV)

The Montgomery County Renters Alliance—an alliance of more than 30 labor, community, religious, political and civic action organizations and thousands of renters. We are Maryland’s first and only regional nonprofit dedicated exclusively to renter outreach, education, organizing and advocacy.

We urge the Committee to issue a favorable report on SB 384.

Maryland has unprecedented funding to prevent evictions. Every dollar of our [estimated rent debt of \\$392 million](#) (Dec. 2021) can be paid by local emergency rental assistance programs (ERAPs) that have scaled up over the past year and still have [\\$466.5 million in funding](#). Yet, in the second half of 2021, there were nearly 27,000 eviction cases filed for non-payment of rent per month. **In that time, 705 households were evicted per month.**

SB 384 provides a structural fix by:

1. **Providing the Court Authority to Temporarily Pause The Eviction Process.** Right now, there is no statutory authority for the Court to pause the eviction process related to rent assistance. This sets up a nightmarish race between the ERAP agency/tenant and the eviction process. SB 384 mandates a stay on Failure To Pay Rent proceedings, on a case-by-case basis, if a judge determines that a good faith rental assistance application to resolve the debt is pending. *No one should be*

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of surveyed pro bono attorneys in Maryland reported that in some, most, or all of their cases, **renters faced eviction while waiting** for Emergency Rental Assistance.

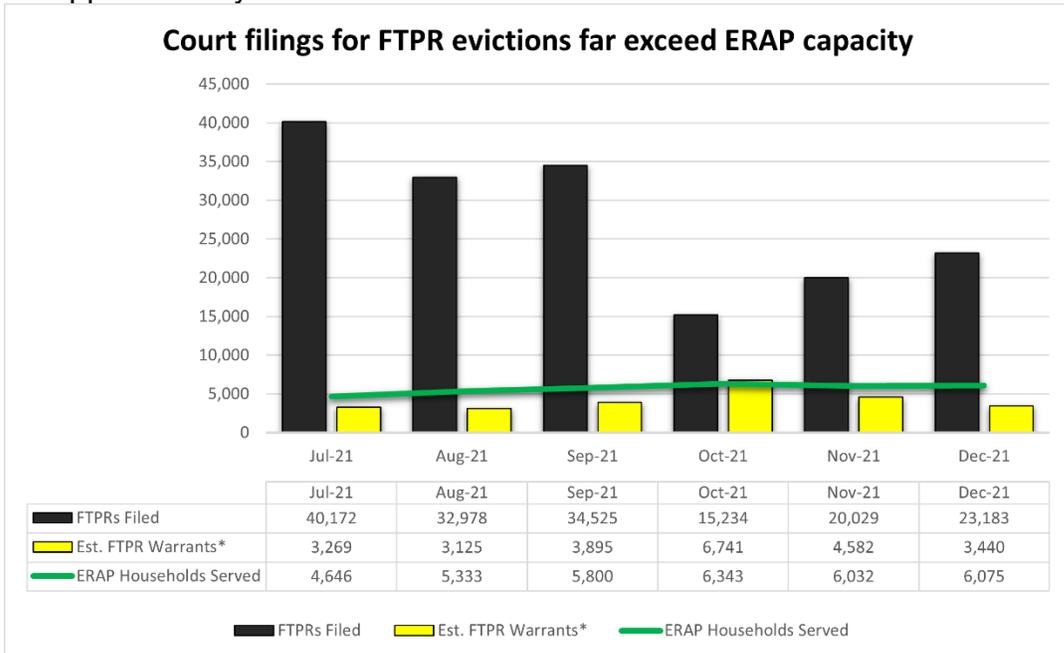
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pandemic.

2. **Incentivizing Landlords to Accept Rental Assistance.** Numerous landlords – both large corporations and smaller operators – are refusing to accept rental assistance. Some refuse it across the board. Others pick winners and losers – accepting the rental assistance for some who they like and refusing it for others. If the landlord wants to use a state-funded judicial process to collect the rent, they should be required to accept rental assistance. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*
3. **Aligning The Pace of Rental Assistance With Eviction Processes For Fairness and Efficiency.** Even as local rental assistance programs have worked overtime to innovate solutions that make landlords whole while keeping residents housed, they were exceedingly outpaced by eviction filings. In July 2021, the ratio of FTPR eviction filings to households served by ERAPs was nearly **9:1**. Even with the incredible ramp-up effort over summer and fall, plus the implementation of new notice requirements under HB18 (Oct. 2021), that ratio was still approximately **4:1**.

Court filings for FTPR evictions far exceed ERAP capacity



Amid this tide of eviction litigation, ERAP programs have had to prioritize applications in which tenants face pending evictions. They have collaborated with local sheriffs to identify addresses slated for eviction. The work of distributing federal relief funds broadly has become the urgent triaging of scheduled evictions. The cost of this dynamic has been to place timely applications on hold, to have tenants waiting months for assistance, until they are on the brink of losing their home. This is not fair or efficient. It rewards landlords who aggressively pursue eviction by pushing them to the front of the line while leaving behind those landlords who are cooperating with ERAP programs. SB 384 would remove that incentive for landlords to aggressively pursue eviction because the Court could pause the eviction while a good faith rental assistance application is pending. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

4. Adopting a National Best Practice of Pausing Eviction for Rental Assistance.

HB 674/SB 384 adopts a best practice learned in the wake of COVID-19 that has been adopted in some form by at least **16 other states**. "Eviction stays are a critical intervention that delay final judgment and give renters the opportunity to apply for ERA and avoid evictions." - [National Low Income Housing Coalition](#)

[At least 16 other state and local jurisdictions have enacted protections for tenants who have applied for rental assistance by temporarily staying the eviction process.](#) Additionally, some states have issued guidance that landlords who refuse rental assistance violate the state's source of income law. *No one should be evicted when there is money to pay the rent – especially during a pandemic.*

The Montgomery County Renters Alliance is a member of the Renters United Maryland coalition and asks that the Committee **issue a report of FAVORABLE on SB 384**. If you have any questions, please contact: Matt Losak at 301-588-3987

SB 384_Stay of Eviction_Support_CE Ball_Final.pdf

Uploaded by: Maureen Evans Arthurs

Position: FAV



HOWARD COUNTY OFFICE OF COUNTY EXECUTIVE

3430 Courthouse Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2013 Voice/Relay

Calvin Ball
Howard County Executive
cball@howardcountymd.gov

www.howardcountymd.gov
FAX 410-313-3051

February 15, 2022

Senator William C. Smith, Jr., Chair
Judicial Proceedings Committee
Miller Senate Office Building, 2 East
Annapolis, Maryland 21401

Re: **TESTIMONY OF SUPPORT**: Senate Bill 384: Landlord and Tenant- Stay of Eviction Proceeding for Rental Assistance Determination

Dear Chair Smith, Vice Chair Waldstreicher and Members of the Committee,

I want to commend Senator Hettleman for her leadership on this critical and timely legislation.

Since the start of the COVID-19 pandemic, in Howard County we have successfully provided funding to help almost 2,200 families avoid eviction and stay in their homes since receiving the first CARES Act grant for rental assistance in July 2020.

As of January 31st, we have also provided \$18M in rental assistance payments to keep 2,195 renter households safely housed, however there are still hundreds more residents in need of assistance. We currently use a network of community partners and an online application portal to get assistance to landlords as quickly as possible to prevent residents from receiving failure to pay rent notices and facing eviction. Sadly, the effects of the pandemic still linger in our community. There is more to be done as we work to make sure residents have the resources they need to prevent eviction and avoid homelessness.

For the last 18 months, we have collaborated with our regional partners in the Baltimore Metropolitan area to develop best practices and share information to create effective rental assistance programs and services. Howard County chose to administer our rental assistance funds through our nonprofit partner agencies that already have a presence in the community instead of processing the applications in-house. This allowed us to successfully streamline the application and approval process to get critical funding to landlords and prevent them from filing failure to pay rent notices in the courts which would facilitate the eviction process.

It is critical to provide resources to residents still struggling from the effects of the COVID-19 pandemic and keep them in their homes. This bill will help keep our homelessness systems from being overwhelmed and help our residents maintain their housing. I appreciate your consideration and urge a favorable report on SB 384.

All the Best,

Calvin Ball
Howard County Executive

SB 384_MNADV_FAV.pdf

Uploaded by: Melanie Shapiro

Position: FAV



BILL NO: Senate Bill 384
TITLE: Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination
COMMITTEE: Judicial Proceedings
HEARING DATE: February 15, 2022
POSITION: **SUPPORT**

The Maryland Network Against Domestic Violence (MNADV) is the state domestic violence coalition that brings together victim service providers, allied professionals, and concerned individuals for the common purpose of reducing intimate partner and family violence and its harmful effects on our citizens. **MNADV urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 384.**

With more than a third of domestic violence victims experiencing homelessness after leaving their abuser, the ability to access safe and affordable housing is paramount for victims and survivors of domestic violence. An inability to access safe and affordable housing is often an insurmountable barrier for a victim attempting to leave a domestic violence situation. Victims often remain in abusive relationships and children are exposed to ongoing violence because they have nowhere safe to go and are at risk of homelessness or housing instability.

Despite federal and state protections intended to prevent eviction for victims of domestic violence and support them in obtaining safe and affordable housing, victims often find themselves homeless. Victims face punishment or discrimination for an abusive partners violence. Often, victims experience financial abuse and may have insufficient funds and poor credit both necessary to secure housing.

SB 384 would provide for the stay of certain eviction proceedings when a tenant is waiting for a determination regarding the tenant's good faith application for rental assistance. When victims of domestic violence leave an abusive partner, they often seek rental assistance as they reestablish their financial stability. This bill will provide for greater housing stability and prevent homelessness for victims of domestic violence.

For the above stated reasons, the **Maryland Network Against Domestic Violence urges a favorable report on SB 384.**

SB0384 Mike English Favorable.pdf

Uploaded by: Michael English

Position: FAV

February 16, 2022

Michael English
Silver Spring, MD, 20910

TESTIMONY ON SB0384 - POSITION: FAVORABLE

Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

TO: Chair Smith, Vice Chair Waldstreicher and members of the Judicial Proceedings Committee

FROM: Michael English

My name is Michael English, and I live in downtown Silver Spring, part of Maryland District 20. I am writing this testimony in support of SB0384, Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination. While various levels of government, including the state of Maryland, are to be commended for the amount of rental assistance that went out in an unprecedented time of need the last two years, I don't need to tell you there have been delays and gaps in the distribution of that funding. With so much assistance still needing to be paid out to those who qualify, it's important that we don't let those who have help on the way get evicted before it can arrive. It's simple, it's basic, but it's right.

I respectfully urge this committee to return a favorable report on SB0384.

MD Catholic Conference_FAV_SB0384.pdf

Uploaded by: MJ Kraska

Position: FAV



ARCHDIOCESE OF BALTIMORE † ARCHDIOCESE OF WASHINGTON † DIOCESE OF WILMINGTON

February 15, 2022

SB 384

Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

Senate Judicial Proceedings Committee

Position: Support

The Maryland Catholic Conference (“Conference”) represents the public-policy interests of the three Roman Catholic (arch) dioceses serving Maryland: the Archdiocese of Baltimore, the Archdiocese of Washington, and the Diocese of Wilmington.

Senate Bill 384 provides for the stay of certain eviction proceedings when a tenant is waiting for a determination regarding the tenant's good faith application for rental assistance; and prohibiting a landlord from obtaining certain relief under certain circumstances.

Recently several bishop chairmen of the U.S. Conference of Catholic Bishops (USCCB) wrote to all members of Congress addressing housing needs during the COVID-19 pandemic stating *“Ensuring stable housing is essential, especially during a public health crisis. Emergency rental assistance that meets today’s historic need is crucial in order to avoid evictions for tens of millions of people...to keep people safely housed until they are able to access these services, it is necessary to strengthen and extend eviction and foreclosure moratoriums and establish a national utility shutoff moratorium.”*

Amid this tide of eviction litigation, ERAP programs have had to prioritize applications in which tenants face pending evictions. They have collaborated with local sheriffs to identify addresses slated for eviction. The work of distributing federal relief funds broadly has become the urgent triaging of scheduled evictions. The cost of this dynamic has been to place timely applications on hold, to have tenants waiting months for assistance, until they are on the brink of losing their home. This is not fair or efficient. It rewards landlords who aggressively pursue eviction by pushing them to the front of the line while leaving behind those landlords who are cooperating with ERAP programs. SB 384 would remove that incentive for landlords to aggressively pursue eviction because the Court could pause the eviction while a good faith rental assistance application is pending. No one should be evicted when there is money to pay the rent – especially during a pandemic.

For this reason the Conference appreciates your consideration and urges a favorable report for Senate Bill 384.

SB0384-JPR-FAV.pdf

Uploaded by: Natasha Mehu

Position: FAV



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB 384

February 15, 2022

TO: Members of the Finance and Budget & Taxation Committees

FROM: Natasha Mehu, Director of Government Relations

RE: Senate Bill 453 – Economic Development - Maryland Makerspace Initiative Program

POSITION: Support

Chairs Kelley and Guzzone, Vice Chairs Feldman and Rosapepe, and Members of the Committees, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 453.

Made In Baltimore is a program of the Baltimore Development Corporation that supports makers and manufacturers in Baltimore City. We fulfill that mission by providing an array of programs and services to help local manufacturers operate more efficiently, grow profitability, implement new technologies and create more jobs and opportunities in Maryland. The proposed legislation creates a non-lapsing fund to be administered by TEDCO that would support the expansion and establishment of further makerspaces in the State of Maryland.

Made In Baltimore has had diverse impacts. In our three years in operation, we have built and supported a community of over 300 makers, manufacturers, retailers, and makerspaces that collectively round out Baltimore's 'maker economy'. This community employs over 1,450 people and generated over \$34M in revenue in 2020. Our efforts to help this community grow jobs and revenue for the people of Baltimore are supported by the offerings at Open Works. Many of our member businesses have utilized the shop space, studio space, and course offerings at their facility; some of whom have 'graduated' out of Open Works and into formerly vacant industrial buildings elsewhere in town. We frequently partner with Open Works to offer business support services including workshops, product photography events, and vending opportunities.

Made In Baltimore strongly believes other communities in Maryland can derive similar benefits by building makerspaces, especially as communities struggle to dig out of the interlocking economic, educational, and health crises triggered by the Covid-19 pandemic. Further, creating a

*Annapolis – phone: 410.269.0207 • fax: 410.269.6785
Baltimore – phone: 410.396.3497 • fax: 410.396.5136
<https://mogr.baltimorecity.gov/>*

network of public makerspaces will scale additional operational efficiencies and funding opportunities, significantly scaling the current impacts of Open Works' current location. Creating a network of five locations would have the following impacts:

Economic Impact

- In 2019, state and local tax revenues generated by Open Works and associated businesses topped \$450,000.
- Five locations will produce \$45M in annual economic impact, \$2.25M in annual tax revenues, and 600 jobs through direct employment and startup creation.

Educational Impact

- In 2019, Open Works enrolled 1,339 adults and 171 youth in technical education classes.
- 5 locations could educate 6,700 adults and 850 youth annually.

Emergency Resilience

- Based on Open Works' experience with Makers Unite, we could organize a civil manufacturing reserve to provide supply chain resilience in case of natural disaster, terror attack, or pandemic.

Workforce Development

- In late 2021, Open Works was awarded \$223,000 from the City of Baltimore to run a two-year apprenticeship program for industrial sewing machine operators.
- 5 locations will provide the scale to address the diverse workforce needs of manufacturers and tech companies across the state and better compete with Pennsylvania, Washington D.C., and Virginia.

Constructing a makerspace network would immediately catapult Maryland into a national leadership role in cultivating an innovation economy, and have profound implications on the next 25 years of economic growth, workforce development, STEM educational excellence, disaster preparedness, and startup activity.

We respectfully request a **favorable** report on Senate Bill 453.

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Nathan Rehr

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of MD District **45**. I am an active member of my community association and a health professional who is interested in eliminating the health disparities that occur with racial discrimination in our society. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,

Nathan Rehr

450 E. Federal Street Baltimore, MD 21202

Showing Up for Racial Justice Baltimore

SB0384_FAV_MedChi_Landlord & Tenant - Stay of Evic

Uploaded by: Pam Kasemeyer

Position: FAV

MedChi

The Maryland State Medical Society
1211 Cathedral Street
Baltimore, MD 21201-5516
410.539.0872
Fax: 410.547.0915
1.800.492.1056
www.medchi.org

TO: The Honorable William C. Smith, Jr., Chair
Members, Senate Judicial Proceedings Committee
The Honorable Shelly Hettleman

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Christine K. Krone

DATE: February 15, 2022

RE: **SUPPORT** – Senate Bill 384 – *Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports** Senate Bill 384.

Senate Bill 384 would grant a stay of an eviction proceeding for a tenant who has applied for rental assistance and is waiting for a determination of their application. It also prevents a landlord who refuses to accept rental assistance from initiating any other action against the tenant to collect rent. It has been widely recognized that evictions lead to an increase in homelessness. Homeless individuals are often forced to live in overcrowded facilities due to the lack of sufficient capacity to provide shelter and services to the increasing number of individuals who find themselves homeless. Further, the health-related consequences of eviction have been exacerbated by the COVID-19 pandemic. Given the overcrowded environments, it is nearly impossible to follow COVID-19 precautionary measures, thereby leading to significantly higher rates of COVID-19 amongst the homeless population.

Eviction moratoriums were in place at the start of the pandemic and while MedChi understands that an absolute moratorium cannot be maintained, allowing residents to remain in their homes pending a determination of rental assistance is a small but meaningful and fair approach to mitigating the significant health consequences of evictions for a specific segment of the rental population that finds itself at risk of homelessness. MedChi requests a favorable report for Senate Bill 384.

For more information call:

Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman
Christine K. Krone
410-244-7000

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Patrick Sadil

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 46. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,
Patrick Sadil, PhD
1637 Fleet Street, FL 1
Baltimore, MD 21231
Showing Up for Racial Justice Baltimore

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Sam Chan

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 43. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,
Sam Chan
38 E 26th St Baltimore MD 21218
Showing Up for Racial Justice Baltimore

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Sarah Johnson

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 41, the Roland Park neighborhood, in Baltimore City. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have already applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite having already applied for emergency rental assistance. Because overburdened government agencies have taken months to process applications, the tenants who applied for emergency assistance are left to the mercy of landlord who can still file for evictions for nonpayment of rent – tenants who are *in the process of receiving that already-allocated money*. Through no fault of their own, during these still-unstable pandemic times, tenants may suffer the chaos of eviction and risk contagious disease because currently the law does not protect them in such cases.

The [National Equity Atlas](#) estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. Having an eviction judgment (even an unjust eviction) makes it even harder for folks to find affordable housing, and the pandemic continues to especially endanger those without stable housing. In addition, sudden eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and suboptimal health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction. It is especially painful to have children experience these severe stressors knowing that their parents/guardians did “the right thing” to try to keep their family stable by going through the application process to access the emergency assistance offered by the government.

We know that safe and stable housing has far-reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. “Eviction,” our state's [Attorney General Brian E. Frosh has said](#), “is not simply a condition of poverty. It’s a root cause. It perpetuates a cycle that can last for generations.” The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, and Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don’t continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to **vote in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,

Sarah Johnson
1 Merryman Court
Baltimore, MD 21210
Showing Up for Racial Justice Baltimore

SB384_FAV_Hettleman.pdf

Uploaded by: Shelly Hettleman

Position: FAV

SHELLY HETTLEMAN
Legislative District 11
Baltimore County

Judicial Proceedings Committee

Joint Committee on Children, Youth,
and Families

Joint Committee on the Chesapeake
and Atlantic Coastal Bays Critical Area



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Annapolis, Maryland 21401
410-841-3131 • 301-858-3131
800-492-7122 Ext. 3131
Shelly.Hettleman@senate.state.md.us

The Senate of Maryland ANNAPOLIS, MARYLAND 21401

TESTIMONY OF SENATOR SHELLY HETTLEMAN

SB384 Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

SB 384 requires judges to pause eviction proceedings when the tenant provides evidence that a request for rental assistance is pending. In the face of COVID-19, thousands of Maryland renters have struggled and continue to struggle to meet their rental obligations as they faced illness, were laid off as businesses closed, juggled child care demands and limited school operating hours, or lost their jobs. The federal government responded to the need by creating the Emergency Rental Assistance Program that has provided the state with nearly \$750 million to assist renters who have experienced COVID-related challenges paying their rent.

It has taken a long time for our local governments to scale up efforts to distribute this unprecedented amount of aid. Local jurisdictions each took different approaches to addressing their community's needs and there were many delays as counties stood up their newly funded programs.

The amount of aid Maryland has received is more than sufficient to meet the hundreds of thousands of dollars of rental debt. Yet, thousands of failure to pay rent motions were filed with the courts. And even if these motions were dismissed, as many were, they still have a negative impact on the tenant that can haunt them for years.

Landlords filed nearly 345,000 eviction motions for Failure to Pay Rent over the past year and judges had no authority to delay proceedings, even when they were presented with evidence that an application for Emergency Rental Assistance was pending or if a landlord refused to accept a rental assistance check.

SB 384 provides authority for the court to press pause on eviction proceedings until such time as the county processes the rental assistance application and it protects renters from the potentially catastrophic consequences of having an eviction proceeding on their credit record.

The Department of Housing and Community Development's data dashboard shows the inequities of eviction. Of the over 72,000 applications for rental assistance received, 70% are from Black and Brown people, 70% are women, and just under half of people applying have been unemployed for over three months. The average rental debt owed is \$4,614. A targeted bill like this will help protect families who have been left behind in the post-pandemic recovery. It is important to remember that this money does not go to the tenants. This money goes to landlords, but it keeps people in their homes and connected to their communities. Thank you.

SB384_FAV_Sherry Glazer, JUFJ (2).pdf

Uploaded by: Sherry Glazer

Position: FAV

February 22, 2022



THINK JEWISHLY. ACT LOCALLY.

Sherry Glazer
Bethesda, MD 20815

TESTIMONY ON SB384/HB674 - POSITION: FAVORABLE
**Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance
Determination**

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Sherry Glazer, on behalf of Jews United for Justice (JUFJ)

My name is Sherry Glazer, and I live in Bethesda, MD, District 16. I am submitting this testimony in support of SB384, Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination, on behalf of Jews United for Justice (JUFJ). JUFJ organizes 6,000 Jews and allies from across Maryland in support of state and local social, racial, and economic justice campaigns.

I am driven by my Jewish values on this subject. Jewish texts are full of conversation, laws and traditions about the obligations of landlords and tenants, about building homes safely and about making sure people can remain housed. For example, the Talmud teaches that a landlord cannot evict a tenant during the rainy season - surely a pandemic would be a similarly important time to protect against homelessness. The Gemara in Bava Kamma teaches that, in response to a plague, we have an obligation to stay in our homes as much as possible. It is unjust and cruel, and contrary to Jewish values, to rush toward eviction where there is a less drastic alternative which could avoid eviction altogether.

I am also driven by my past experiences as a retired lawyer who has represented tenants in New York City and has worked with the Landlord-Tenant Commission in Montgomery County, Maryland. I have observed firsthand that the loss of housing is devastating and has lifelong consequences to tenants, their families and their communities. During this once in a century pandemic, those adverse consequences are undoubtedly multiplied.

SB384 provides critical protections to tenants who have applied for Emergency Rental Assistance but who await final processing of their applications and the disbursement of funds. The bill provides for an automatic stay of any eviction proceeding where a tenant has duly applied for rent relief but, through no fault of their own, is waiting for the local government machinery to run its course.

Congress passed the American Rescue Plan Act in 2021, which provided for rental assistance funds to be distributed to each state, including Maryland. Distribution of the funds in Maryland began through a process devised by each County. While I believe that each County is doing its

level best to distribute these funds, it is taking months for overburdened agencies to process the rental assistance applications. SB384 will require Maryland courts to stay eviction proceedings while a rental assistance application is pending.

It is an incredible injustice, as well as nonsensical, to evict a tenant who is in this legal limbo. The American Rescue Plan Act allocated funds to each state for the precise purpose of preventing evictions. Evictions always lead to a slew of undesirable outcomes, but never more so than during an ongoing public health crisis where being sheltered is vital to individual tenants, and the public health of the community. It is also a waste of Maryland's scarce resources to evict tenants who are on the precipice of obtaining funds to pay their rent and would likely result in more homelessness and funds expended for emergency shelters. SB384 will halt unnecessary proceedings, slow the process down, and result in judicial economy.

We hope that the General Assembly will prohibit the Maryland Courts from proceeding with an eviction while a tenant's emergency rent relief application is still pending. **On behalf of Jews United for Justice, I urge a favorable report on SB384.**

MAP SB 384 Testimony FAV.pdf

Uploaded by: Stacey Jefferson

Position: FAV



TESTIMONY IN SUPPORT OF SB 384

Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination

Senate Judicial Proceedings Committee, February 15, 2022

Submitted by Julia Gross and Kali Schumitz, Co-Chairs

Member Agencies:

211 Maryland

Advocates for Children and Youth

Baltimore Jewish Council

Behavioral Health System Baltimore

CASH Campaign of Maryland

Catholic Charities

Energy Advocates

Episcopal Diocese of Maryland

Family League of Baltimore

Fuel Fund of Maryland

Health Care for the Homeless

Homeless Persons
Representation Project

Job Opportunities Task Force

Laurel Advocacy & Referral Services,
Inc.

League of Women Voters of Maryland

Loyola University Maryland

Maryland Catholic Conference

Maryland Center on Economic Policy

Maryland Community Action
Partnership

Maryland Family Network

Maryland Food Bank

Maryland Hunger Solutions

Paul's Place

Public Justice Center

St. Vincent de Paul of Baltimore

Welfare Advocates

Marylanders Against Poverty

Julia Gross, Co-Chair

P: 410-528-0021 ext 6029

E: jgross@mdhungersolutions.org

Kali Schumitz, Co-Chair

P: 410-412- 9105 ext 701

E: kschumitz@mdeconomy.org

Marylanders Against Poverty (MAP) supports SB 384, which would authorize the court to pause an eviction proceeding for a rental assistance determination and prevent landlords from using the court to collect rent if they are refusing rental assistance. Maryland has unprecedented funding to prevent evictions and resulting homelessness. Yet, in the second half of 2021, **705 households were evicted per month. Many of these families likely became homeless as a result of eviction.**

Each year in Maryland, more than 30,000 people experience homelessness. Leading researchers with the Aspen Institute and others have [documented the ways in which eviction cause homelessness and other forms of immense human suffering](#):

- [Following eviction](#), a person's likelihood of experiencing homelessness increases, mental and physical health are diminished, and the probability of obtaining employment declines.
- Eviction is linked to [numerous poor health outcomes](#), including depression, suicide, and anxiety, among others.
- Eviction is also [linked with respiratory disease](#), which could increase the risk of complications if COVID-19 is contracted, as well as mortality risk during COVID-19.
- Eviction makes it more expensive and more difficult for tenants who have been evicted to [rent safe and decent housing](#), apply for credit, borrow money, or purchase a home.
- Instability, like eviction, is [particularly damaging to children](#), who suffer in ways that impact their educational development and well-being for years.

This does not include the [enormous public costs of eviction and homelessness](#) from Medicaid-insured homeless persons forced to use the emergency room as their primary care physician or the increased number of children forced to enter foster care due to eviction. SB 384 helps prevent eviction and homelessness by:

1. Giving the court authority to pause an eviction process to allow rental assistance to work;
2. Incentivizing Landlords to Accept Rental Assistance or they will not be able to use the judicial process to collect rent.
3. Aligning The Pace of Rental Assistance With Eviction Processes For Fairness and Efficiency; and
4. Adopting a national best practice to pause evictions during this ongoing pandemic.

No one should be evicted when there is money to pay the rent – especially during a pandemic. As such, MAP asks the Committee to issue a favorable report without amendments on SB 384.

Marylanders Against Poverty (MAP) is a coalition of service providers, faith communities, and advocacy organizations advancing statewide public policies and programs necessary to alleviate the burdens faced by Marylanders living in or near poverty, and to address the underlying systemic causes of poverty.

SB 384 - Moratorium on Evictions for Renters with

Uploaded by: Tamara Todd

Position: FAV

Dear Members of the Senate Judicial Proceedings Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland and Renters United Maryland. I am a resident of District 10. **I am testifying in support of Senate Bill 384.**



This bill allows for a stay of eviction proceedings when a tenant can show they have applied for rental assistance and are awaiting a determination. It also prohibits the landlord from refusing to accept rental assistance funds as payment or collecting the debt through other judicial actions.

The goal of rental assistance is to allow folks to continue living in their homes, averting the massive consequences that eviction can have on one's life and, during the pandemic, limiting risk to public health. Currently, many renters experiencing difficulties paying rent are still facing eviction despite applying for emergency rental assistance because overburdened agencies have taken months to process applications. While they wait, landlords can still file for evictions for nonpayment of rent, kicking out tenants who could get funds any day. Through no fault of their own, tenants may suffer the chaos of eviction and risk contagious disease because the law does not protect them in such cases.

The [National Equity Atlas](#), estimates rent debt across the country from US Census and Treasury data. On January 30, they reported an estimated 105,000 households were behind on their rent in Maryland. An eviction judgment makes it harder to find housing, and the pandemic continues to endanger those without stable housing most. The sudden transition of eviction is especially difficult for children who are part of 51% of households in arrears. Worsened school performance, increased drop-out rates, higher rates of adolescent violence, and worse health outcomes are just some of the negative outcomes [social scientists have documented](#) among children who have experienced eviction.

We know that safe and stable housing has far reaching economic, health, and social benefits to individuals, families, and communities, and is key to reducing racial inequities. This is even more true during the ongoing public health and economic crisis. "Eviction," our state's [Attorney General Brian E. Frosh has said](#), "is not simply a condition of poverty. It's a root cause. It perpetuates a cycle that can last for generations." The National Equity Atlas also estimates that 74% of tenants behind on their rent in our state are people of color, including Blacks, Latinx, Native Americans. People of color form less than half of this state's population, and helping them remain in their homes ensures we don't continue perpetuating long-standing inequities in housing and eviction policies.

Most importantly, if we truly believed these eviction prevention programs were important, we would set the conditions in place to allow them to actually prevent eviction. Allowing folks to be evicted while awaiting determinations for aid just makes these programs life-jackets made of lead.

It is for these reasons that I am encouraging you to vote **in support of Senate Bill 384.**

Thank you for your time, service, and consideration.

Sincerely,

Tamara Todd

221 Northway Rd, Reisterstown, MD 21136

Showing Up for Racial Justice Baltimore

Knoche-Testimony-SB0384-Feb2022.pdf

Uploaded by: Thomas Knoche

Position: FAV

Bill Number: SB0384 Thomas Knoche FAV

Date of Hearing: 2/15/2022

Thomas Knoche, Board Member, Broadview Apartments, LLC
116 West University Parkway, Baltimore, MD 21210

TESTIMONY ON SB0384 - POSITION: FAVORABLE
Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Thomas Knoche

My name is Thomas Knoche. I am part of the Broadview Apartments, LLC family ownership group. Broadview Apartments is in the 43rd District. I am submitting this testimony in support of SB0384, Stay of Eviction Proceeding for Rental Assistance Determination.

The Broadview Apartments, LLC owns 500 units of rental housing at the NE corner of University Parkway and W. 39th Street in Baltimore City, where approximately 1300 people are housed.

I encourage the Maryland legislature to adopt SB0384 to protect tenants from eviction while rental assistance is pending determination. We support this legislation for three reasons.

(1) We see first-hand the impact the pandemic has had on the people, mostly students, who rent from us. Times are tougher than many ever expected to see, and the financial hardship comes at no fault of their own. The financial impact of the pandemic, based on current economic projections, will likely persist for several years.

(2) Our costs go down when turnover is reduced, so we want residents to live at our developments for as long as they can. Displacement is bad for them, and the turnover costs are bad for us. Rental assistance may be all that many tenants need to get past a temporary financial crisis, and avoid loss of their current residence.

(3) Displacement can lead to homelessness, and the latter is to be avoided at all cost. The human cost is beyond measure. The cost to society – specifically taxpayers -- can be measured. Study after study, over decades, confirm that the most cost-effective way to address homelessness is to avoid it by preventing displacement (for example, with rental assistance), providing sufficient affordable housing units, and preventive social services.

Decent housing ought to be a basic human right. Renters should not be evicted while their application for rental assistance is pending. I believe this legislation will benefit both tenants, and landlords, in MD. I urge this Committee to return a favorable report on SB0384, and the Senate to pass it.

SB 384--AOBA--UNF.pdf

Uploaded by: Erin Bradley

Position: UNF



Bill No: SB 384 -- Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination

Committee: Judicial Proceedings

Date: 2/15/2022

Position: Unfavorable

The Apartment and Office Building Association of Metropolitan Washington (AOBA) represents members that own or manage more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George’s Counties.

Senate Bill 384 mandates a stay of an eviction proceeding or stay of the execution of a warrant of restitution until the resolution of a resident’s application for rental assistance and the disbursement of funds are awarded. If the housing provider refuses to accept rental assistance from the program, the housing provider may not obtain relief or initiate an action against the resident to collect rent.

AOBA members have been working diligently with residents and various emergency rental assistance programs to support residents through a very challenging financial time. However, this bill would tie a housing provider’s hands for an inordinately long period of time with no guarantee that rental assistance will ever be received.

1. AOBA opposes suspending the court proceeding until the resolution of the application. With the backlog in court hearings causing a 11–14-month lag between filing and hearing there is time for a resident with an application already in process to receive resolution on that application. Additionally, with the backlog in ERAP, getting back into court could take several months. AOBA members are still waiting for resolution on applications filed in August 2021. AOBA believes the court proceeding should continue and a judgement entered.
2. Submitting evidence that a resident has applied for rental assistance is not sufficient reason to stay the execution of the warrant. What will stop residents-- previously uncommunicative or aware that they are ineligible for assistance-- from applying for rental assistance to stay in a unit for an additional 3-6+

months? Also, halting the entire process for an unknown amount of time with no guarantee there will be a satisfactory resolution is putting the housing provider in a troubling position while unpaid rent balances continue to rise.

3. AOBA strongly opposes the provisions on page 5 lines 26-31 which require a housing provider to accept rental assistance or forgo any remedies for failure to pay rent. AOBA members consistently accept the rental assistance funds and “landlord agreement” with programs operating in Montgomery and Prince George’s County. However, the language in the bill would require a housing provider to accept any terms they are presented regardless how unbalanced.

For these reasons AOBA requests an unfavorable report on SB 384.

For further information contact Erin Bradley, AOBA Vice President of Government Affairs, at 301-904-0814 or ebradley@aoba-metro.org

SB 384 - 2022 - MMHA - Unfavorable.pdf

Uploaded by: Grason Wiggins

Position: UNF



Senate Bill 384

Committee: Judicial Proceedings

Date: February 15, 2022

Position: Unfavorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland.

Senate Bill 384 (“SB 384”) creates additional delays in an already historically delayed court system and requires housing providers to accept agreements from agencies that distribute rental assistance. If housing providers do not accept the rental assistance agreements, including **any** prohibitions and requirements that may be included within an agreement in the future, housing providers forfeit all rights to unpaid rent.

To be clear, courts have not heard non-payment of rent cases since late December 2021, and courts will not begin to hear non-payment of rent cases until March 7, 2022, at the earliest. Due to court closures and court scheduling processes, jurisdictions across the state are experiencing significant delays between a court filing and a court hearing. **The time between a court filing and a court hearing for non-payment of rent cases is more than one year in some jurisdictions.** Maryland’s housing providers simply cannot afford additional delays to an already excessively slow process.

SB 384 requires housing providers to accept rental assistance grant agreements, including **any** prohibitions or requirements that may be included in an agreement in the future. SB 384 establishes **NO** limitation on what an agency may include in a grant agreement for rental assistance. As such, SB 384 would force housing providers to accept any requirements that agencies may choose to include in their grant agreements or lose their right to collect unpaid rent. Further, SB 384 is not limited to federal rental assistance and would therefore **indefinitely** subject housing providers to any number of future prohibitions or requirements. **For these reasons, MMHA respectfully requests an unfavorable report from the committee.**

Grason Wiggins, MMHA Senior Manager of Government Affairs, 912.687.5745

MBIA Letter of Opposition SB 384.pdf

Uploaded by: Lori Graf

Position: UNF

February 15, 2022

The Honorable William C. Smith Jr.
Senate Judicial Proceedings Committee
Miller Senate Office Building,
2 East Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: Opposition SB 384 Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

Dear Chairman Smith:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB 384 Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination**. MBIA **Opposes** the Act in its current version.

This bill would stay eviction proceedings if a tenant is applying for a rental assistance program. MBIA respectfully opposes this measure. Landlords take a financial risk when renting to a tenant. The procedure of eviction is the only guarantee landlords have of making back their investment in the property that they make. While it is important that tenants feel secure, it is unlikely that an eviction proceeding will be underway if the tenant is both applying for rental assistance and has made their situation known to the landlord in a timely manner. This bill would make it easier for tenants acting in bad faith that wish to simply extend the eviction period to retroactively apply for rental assistance in order to extend the proceeding. While the bill does only apply to tenants acting in good faith, there is not provision for how that will be determined or even if an investigation will take place.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Judicial Proceedings Committee

sb384.pdf

Uploaded by: Sara Elalamy

Position: UNF

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Joseph M. Getty
Chief Judge

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: Senate Judicial Proceedings Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 384
Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination
DATE: February 9, 2022
(2/15)
POSITION: Oppose

The Maryland Judiciary opposes Senate Bill 384. The bill provides for a stay of eviction proceedings when a tenant is waiting for a determination on an application for rental assistance. If a tenant presents evidence that they are waiting for a determination regarding their good faith application for rental assistance, the court shall stay the proceeding until the tenant’s application has been resolved and funds disbursed, or, if judgment has been entered in favor of the landlord, stay the execution of the warrant of restitution or order to surrender the premises until the application for rental assistance has been resolved and funds awarded. A landlord who refuses to accept rental assistance may not obtain relief under this section of the statute or initiate any other judicial action against a tenant to collect the rent sought in the complaint.

The Judiciary has no position on the intent of the legislation but opposes the provision which makes the stay mandatory rather than discretionary by the court. The bill mandates that the court “shall” stay the proceeding or the warrant of restitution. Changing this to “may” would restore the court’s ability to exercise discretion in determining whether or not to grant a stay.

The bill also provides no timeline for the stay (beginning at page 5, line 19) and no mechanism for the court to be made aware that a tenant has received funding, so cases may remain indefinitely. Also, as a condition of accepting rental assistance, landlords are oft times required to enter into rental assistance agreements with other conditions attached. For instance, in addition to dismissing the complaint for failure to pay rent, landlords must agree to dismiss pending tenant holding over or breach of lease actions. Further, the proposed legislation does not consider that some tenants may no longer have a right to redemption to “pay and stay” according to the statute.

cc. Hon. Shelly Hettleman
Judicial Council
Legislative Committee
Kelley O'Connor

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Position: UNF



Senate Bill 384 – Landlord and Tenant – Stay of Eviction Proceeding for Rental Assistance Determination

Position: Unfavorable

The Maryland REALTORS® opposes SB 384 which would prohibit a landlord from evicting a tenant for nonpayment of rent if the tenant is waiting for rental assistance. If a landlord does not accept rental assistance, the landlord would be prohibited from initiating any judicial action against the tenant.

The Maryland REALTORS® represents approximately 30,000 real estate licensees statewide. About 30% of our members own rental property or act as property managers for owners of real estate. On average, our members own/manage 3.5 properties.

Most of our members represent owners of single-family properties (4 units or less). In fact, nationally about 41% of renters live in single-family rentals -- 77% of which are owned by individual investors (so called mom and pop owners). Many small owners are not only paying a mortgage on their own property but also paying a mortgage on their investment property which their rent helps cover.

While the Emergency Rental Assistance Programs (ERAP) have helped many tenants and landlords, these programs are not perfect. It is not uncommon for the rental assistance payments to be delayed by months. A small investor who misses months of payments may not be able to continue the mortgage payments on the rental property.

While some question why a landlord wouldn't accept rental assistance, it is for this reason. They may not be able to financially cover the wait period. The Maryland REALTORS® believe judges should continue to have the discretion to weigh the individual circumstances of both parties to determine whether an eviction should be stayed based on a rental assistance application. In addition, there should be some cap on how long a landlord must wait.

Finally, the legislation would have unintended results by denying a landlord the right to "initiate any other judicial action." That could apply to a tenant who is being evicted due to a breach of lease having nothing to do with the payment.

For these reasons, the REALTORS® recommend an unfavorable report.

**For more information contact bill.castelli@mdrealtor.org,
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SB 384 - MSBA Informational Letter (2022.02.15).pd

Uploaded by: Shaoli Katana

Position: INFO

MEMORANDUM

To: Members of the Senate Judicial Proceedings Committee

From: Maryland State Bar Association (MSBA)
Shaoli Katana, Esq., Director

Subject: Senate Bill 384 - Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination

Date: February 15, 2022

Position: Informational Only

The Maryland State Bar Association (MSBA) respectfully files this informational letter on **Senate Bill 384 - Landlord and Tenant - Stay of Eviction Proceeding for Rental Assistance Determination**. Senate Bill 384 provides for the stay of certain eviction proceedings when a tenant is waiting for a determination regarding the tenant's good faith application for rental assistance; and prohibiting a landlord from obtaining certain relief under certain circumstances.

MSBA represents more attorneys than any other organization across the State in all practice areas. MSBA serves as the voice of Maryland's legal profession. Through its Laws Committee and various practice-specific sections, MSBA monitors and takes positions on legislation of importance to the legal profession.

The pandemic has impacted Marylanders in unthinkable ways, with many residents facing housing and eviction challenges. MSBA joins its partner the Maryland Access to Justice Commission in supporting initiatives to help these individuals. Federal and state assistance programs were created during the pandemic to provide much-needed rental assistance to these populations. However, much of this rental assistance funding has been slow to reach tenants and landlords. While the proposed legislation provides a measure to address these issues, further action must be taken to quicken the distribution of federal and state funding to these groups.

For additional information, please feel free to contact Shaoli Katana at MSBA at shaoli@msba.org.