



MLSC

MARYLAND LEGAL SERVICES CORPORATION

IOLTA - INTEREST ON LAWYER TRUST ACCOUNTS

Testimony Concerning HB 712
“Landlord and Tenant - Access to Counsel in Evictions Special Fund –
Mandatory Appropriation”
Submitted to the House Judiciary Committee
Hearing Date: February 16, 2022

Position: Favorable

Contact: Deb Seltzer, Executive Director, 410-576-9494 x1009, dseltzer@mlsc.org

Maryland Legal Services Corporation requests a favorable report on House Bill 712, enactment of which would direct any allowable portion of available federal rental assistance money to the Access to Counsel in Evictions Special Fund.

MLSC is a legislatively created nonprofit organization with a mission to ensure low-income Marylanders have access to stable, efficient and effective civil legal assistance through the distribution of funds to nonprofit legal services organizations. The Maryland General Assembly recognized the importance of civil legal services in rent court by passing the Access to Counsel in Evictions Program during the 2021 session. When funded, the Program will provide legal representation as well as related tenant outreach and education, ensuring low-income tenants facing loss of housing know their rights and have an advocate to guide them through the court process.

As the administrator of the Access to Counsel in Evictions Program, MLSC looks forward to building on our previous eviction prevention grants to ensure the Program proceeds effectively and efficiently, once funding is provided.

Legal aid attorneys working with current MLSC grantees have helped clients achieve a range of outcomes in their cases, including avoiding eviction, delaying eviction so the tenant has additional time to move, avoiding a loss of a housing subsidy, enforcing a tenant’s rights under a lease and more. However, the large volume of eviction filings in Maryland paired with a lack of dedicated resources means that providers have never been able to reach more than a few thousand clients with full representation each year. The Access to Counsel in Evictions Program offers a chance to change that paradigm – but only with appropriate funding.

The State has demonstrated a commitment to using federal funds in this manner with the recent announcement that approximately \$5.4 million of the second round of Emergency Rental Assistance Program (ERAP 2) funding will be earmarked for the Program. The federal government has encouraged states to use the ERAP 2 funding for eviction prevention legal services, dedicating up to 10% of these funds for housing stability services. If additional funds remain in Maryland’s ERAP 2 allocation, we encourage their deposit in the Access to Counsel in Evictions Special Fund so that the Program has a known funding source for its implementation period. In fact, the deadline for allocation of ERAP 2 funds (September 30, 2025) dovetails almost exactly with the implementation timeline proposed for the Program (October 1, 2025).

While related federal funding will likely not be enough to fund the Program in its entirety or on a continual basis, money received through this instrument will be an important supplement to an ongoing, stable funding source. The Access to Counsel in Evictions Task Force also supported the concept of this legislation, paired with an appropriation, in its final report.

MLSC asks for favorable consideration of House Bill 712.