



Testimony in SUPPORT of HB521
Landlord and Tenant – Repossession for Failure to Pay Rent – Shielding of Court
Records
House Judiciary Committee

Jonathan Reidel, Esq. On Behalf of CASA

March 2, 2022

Honorable Chair Clippinger, Vice-Chair Moon, and Members of the Committee:

We are writing to express our strong support for HB521. CASA is the largest membership-based immigrant rights organization in the mid-Atlantic region, with a membership of more than 120,000 Black and brown immigrant and working families in Maryland, and in the mid-Atlantic region. Our mission is to create a more just society by building power and improving the quality of life in working-class and immigrant communities. We envision a future where our members stand in their own power, our families live free from discrimination and fear, and our diverse communities thrive as we work with our partners to achieve full human rights for all.

For nearly forty years, CASA has employed grassroots community organizing to bring our communities closer together and fight for justice, while simultaneously providing much-needed services to these communities, helping to ensure that low-income immigrants are able to live rich and full lives. As the COVID-19 pandemic continues to ravage our communities, we see dramatic negative impacts on our members. Despite the short-term security offered by federal aid, low-income tenants find themselves in especially precarious positions, unsure of their future.

Throughout the pandemic, CASA's legal team has stood in support of community members facing eviction. Together with our community organizers on the ground and our other service teams, we have fought to ensure that those impacted by COVID-19 are able to remain in their homes and continue to provide for their families. At CASA we strive to intervene at the earliest possible point to avoid crisis and homelessness. From administering direct financial aid at the beginning of the pandemic to negotiating with landlords to keep residents of entire complexes in their homes, to assisting community members with rental assistance applications over the last year, we have employed a whole of organization response to hold back what some described as an eviction "tsunami."

Yet, all too often our efforts at prevention are not enough. Either because a tenant does not connect with us in time, or a landlord is resistant to any type of accommodation, many community members still found themselves in court fighting against Failure to Pay Rent (FTPR) proceedings. This was especially acute in Montgomery County, where the courts stood up a “rocket docket” last summer to move thousands of FTPR cases through in a matter of weeks. In response to this unprecedented process, CASA partnered with Maryland Legal Aid, the Homeless Persons Representation Project (HPRP), and other partners to provide direct representation to individuals in rent court. Together, we were able to prevent hundreds of evictions, largely by relying on the federal and state eviction moratoria that were in effect during that time. Unfortunately, those moratoria were not permanent relief, but rather a temporary halt on the eviction proceedings. Although many tenants were eventually able to regain their financial footing, re-entering the labor force and accessing government assistance to pay back rent, not all were so fortunate. Even those who eventually got their proceedings dismissed continue to have a public record of eviction proceedings following them that could negatively impact their credit or limit their ability to rent or purchase another home in the future.

HB521 helps to alleviate this burden by shielding records of FTPR proceedings where the tenant was impacted by COVID-19. It is a common-sense solution to a problem created by a global health crisis and no fault of the tenants themselves. Indeed, many of the individuals and families implicated by pandemic FTPR proceedings have experienced immeasurable suffering, including the loss of family members and devastating financial insecurity. As they continue to struggle to recover, financially and emotionally, it is the least we can do to ensure that the COVID-19 related court cases brought against them do not continue to negatively impact them moving forward.

For all of these reasons, we support HB521 and request a favorable report.

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