



HB 724 - Access to Counsel in Evictions Special Fund – Funding
Hearing before the Judiciary Committee,
Feb. 16, 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 HB 724.

Access to Counsel makes Emergency Rental Assistance Programs more effective.

Providing access to legal counsel in eviction cases has been an integral part of Anne Arundel County’s Eviction Prevention Program since shortly after the COVID-19 pandemic began. Coupled with the availability of rental assistance funds, Anne Arundel County’s partnership with Community Legal Services (CLS), a nonprofit legal services provider, has prevented countless evictions of Anne Arundel County residents and resulted in millions of dollars in rent payments to Anne Arundel County landlords.

Access to Counsel has been proven successful in Anne Arundel County. Administered through a grant with funding from the County, Community Legal Services runs the Anne Arundel County Eviction Prevention Legal Program, which is perhaps the closest to an Access to Counsel Program in the State at this time. Attorneys are at the courthouse in Glen Burnie during all rent court dockets and provide assistance to any income-eligible tenant facing eviction for failure to pay rent. The County made office space available for CLS adjacent to the courthouse, right down the hall from the County’s satellite rental assistance office, and there are seamless referrals between the County’s ERAP and the Eviction Prevention Legal Program. Often, in addition to representing tenants in court, CLS attorneys act as informal mediators between the ERAP, landlords and tenants in arrears, ensuring the tenants’ legal rights are protected while at the same time educating and negotiating with

landlords and landlord advocates to ensure that there is time for the rental assistance program to coordinate payment with the landlord so evictions can be prevented. From March, 2021 through December, 2021 alone, ACDS distributed approximately \$20 million in rental assistance to more than 1,600 households. We estimate that approximately 1,000 of those households were either provided advice and counseling or were represented in court by Community Legal Services.

Adequate state-funding for Access to Counsel is crucial for creation of – and, in Anne Arundel County’s case, *continuation of* - robust Access to Counsel programs. State and local jurisdictions have used mostly federal money provided in response to the COVID-19 pandemic to expand access to counsel in FY 21 & 22. These funds will likely be spent in FY22 or will expire soon thereafter. **Counties can’t fund these programs on their own indefinitely.** The \$5.4 million proposed by Governor Hogan for counsel in eviction cases is insufficient to meet the total amount needed to support Access to Counsel programs throughout the State, but the funding that would be provided through this bill would. The legislature saw the value and justification for creation of the Access to Counsel Program last year. Passing this bill this year would ensure adequate funding to make it an ongoing reality.

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