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HB824

Landlord and Tenant - Eviction Data - Collection and Distribution

House Judiciary Committee

SUPPORT

The Maryland Access to Justice Commission (A2JC) is an independent entity supported by the Maryland State Bar Association (MSBA) that unites leaders to drive reforms and innovations to make the civil justice system accessible, fair and equitable for all Marylanders. Prominent leaders from different segments of the legal community in Maryland – including the deans of the two law schools, the attorney general, law firm partners, heads of the legal services providers and funders, corporate counsel, academics, legislators, the state bar and judiciary comprise the A2JC.

An Eviction Data Hub: A Key Recommendation of the Access to Counsel in Evictions TF

Last year, the Maryland General Assembly passed HB18, creating a statewide Access to Counsel in Eviction Program. The bill became law, effective October 1, 2021. The law mandated that there be an [Access to Counsel in Evictions Task Force](#). The leadership of the Task Force was primarily composed of A2J Commissioners. The Task Force started its work on October 1, 2021 and delivered its [final report](#) on January 1, 2022. The law mandates an evaluation of the Access to Counsel in Evictions Program to measure effectiveness. As the Task Force studied how best to implement and evaluate the program, a key problem that was identified was the lack of an eviction data hub in Maryland. Hence, a key recommendation from the Task Force was the following: *Create a centralized eviction data hub that would collect, visually display, and analyze eviction-related data from key stakeholders, while protecting individual privacy.*

Further, the Task Force said the following regarding an eviction data hub:

An eviction data hub—which could be housed at a university—should include, for example, anonymized, jurisdiction specific information about the number and sources of requests for assistance with housing matters, including applications for rental assistance; the number of eviction filings and warrants of restitution; and information about eviction proceedings, such as the number of days from filing to hearing date, the number of postponements, and the case disposition (e.g., trial, settlement, eviction).

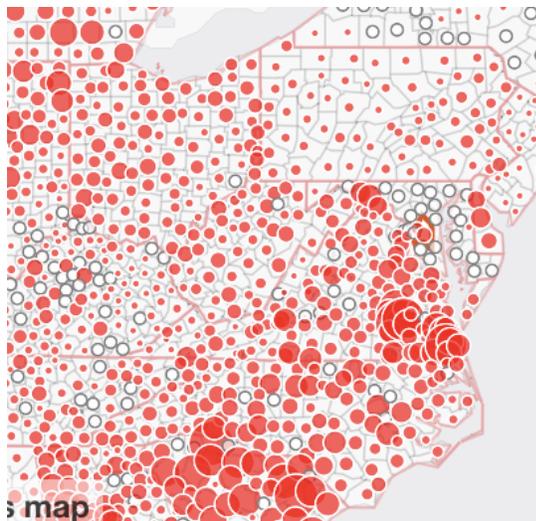
There should also be a real-time eviction database that tracks and maps certain data to aid in early outreach while protecting personal information. That database should include information about the number of evictions; the location of evictions by county, and ultimately by census tract or zip code; demographic information about those being evicted, such as age, race/ethnicity, gender, size of household, the presence of minors in the household, disability status, primary language status, income level, and subsidized housing status; and the cause of eviction by type of case (i.e., FTPR, THO, BROL, subsidy termination) or whether eviction was illegal, meaning it occurred outside the judicial system.

What Eviction Data is Presently Available?

At present, the Maryland Judiciary reports the following data points in an “internal” report on their website here: <https://www.courts.state.md.us/district/about#stats>. We are uncertain as to how often the data is updated in these reports, but it seems as though it might be being updated on a monthly or bi-monthly basis. The key data points in relation to the bill are the Warrant of Restitution and the number of Evictions.

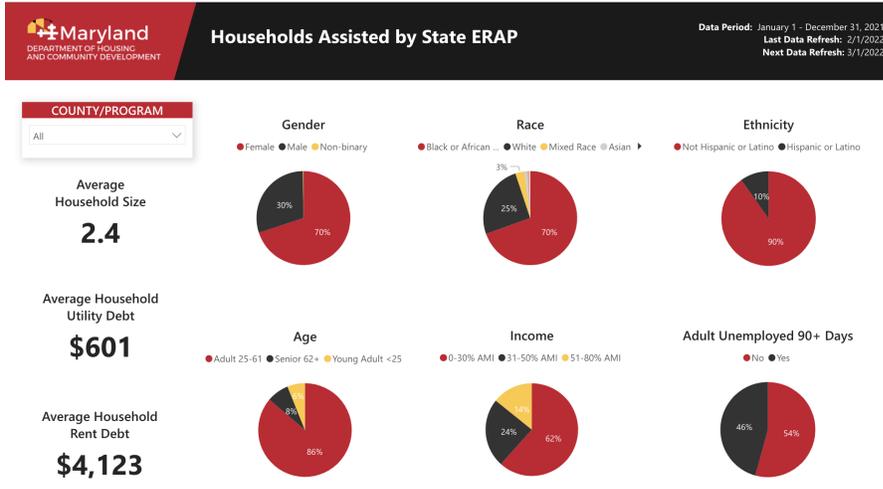
DISTRICT COURT OF MARYLAND - LANDLORD/ TENANT CASE ACTIVITY REPORT												
December 2021												
District	County	Failure to Pay Rent Cases			Tenant Holding Over	Breach of Lease	Levy in Distress	Wrongful Detainer	Grantor in Possession	Warrant of Restitution*	Evictions*	Rent Escrows
		Filed	Defendant Appeared	Dismissed								
1-0	Baltimore City	3,770	109	4,634	133	64	0	76	0	939	161	41
2-1	Dorchester	42	8	13	4	0	0	1	0	14	7	0
2-2	Somerset	111	11	30	0	0	0	0	0	11	4	0
2-3	Wicomico	419	36	121	7	1	0	6	0	74	9	2
2-4	Snow Hill	14	1	6	1	0	0	2	0	1	4	0
2-5	Ocean City	11	1	6	1	0	0	0	0	3	1	0
Total District 2		597	57	176	13	1	0	9	0	103	25	2

Maryland is also one of the few states that does not have sufficient data to report to the [Eviction Lab](#), a national repository of eviction data (gray empty circles indicate no eviction data).



What are we Missing?

The information the Judiciary reports is very limited. We do not have any granular information related to the location where the evictions are happening, what the race/ gender and other demographics of those being evicted, etc. Further, the data that we do have is disconnected and not integrated into other housing-related data, including DHCD's Data Dashboard on Emergency Rental Assistance.



HB824 Helps with the Creation on a Centralized Eviction Data Hub

In order for the Access to Counsel in Evictions Program to be implemented effectively, it is important to have data that would help to identify eviction hot spots, conduct targeted outreach, do a thorough evaluation of the program and be able to do an equity analysis. HB824 requests the minimal amount of data necessary for us to be able to have a meaningful database that would accomplish the above stated goals.

In Maryland, we have already taken an important step in passing an Access to Counsel Program to prevent the deleterious effects of evictions. For the implementation to be successful, we need more granular and publicly available data on evictions.

For the reasons stated, the Maryland Access to Justice Commission requests the House Judiciary Committee to issue a FAVORABLE report on HB824. For more information, please contact Reena K. Shah, Executive Director of the Maryland Access to Justice Commission, at reena@msba.org.