



**MARYLAND  
LEGAL AID**

*Advancing*  
**Human Rights and  
Justice for All**

**STATEWIDE  
ADVOCACY SUPPORT UNIT**

**Cornelia Bright Gordon, Esq.**  
Director of Advocacy  
for Administrative Law  
(410) 951-7728  
cbgordon@mdlalab.org

**Gregory Countess, Esq.**  
Director of Advocacy  
for Housing & Community  
Economic Development  
(410) 951-7687  
gcountess@mdlalab.org

**Anthony H. Davis, II, Esq.**  
Director of Advocacy  
for Consumer Law  
(410) 951-7703  
adavis@mdlalab.org

**Erica I. LeMon, Esq.**  
Director of Advocacy  
for Children's Rights  
(410) 951-7648  
elemon@mdlalab.org

February 14, 2021

The Honorable Kumar P. Barve  
Chairman, Environment and Transportation Committee  
House Office Building,  
Annapolis, Maryland 21401

**RE: Testimony of Maryland Legal Aid in Support of House Bill 571 –  
Landlord and Tenant- Access to Counsel in Evictions Special Fund-  
Alteration**

Dear Chairmen Barve and Members of Committee:

Thank you for the opportunity to provide testimony on this important bill. Maryland Legal Aid (MLA) is a private, non-profit law firm that provides free legal services to indigent Maryland residents. From 12 offices around the state, MLA helps individuals and families in every Maryland county with many civil legal issues, including housing, consumer, public benefits, and family law matters. MLA also represents abused and neglected children and provides legal assistance to senior citizens and nursing home residents. Maryland Legal Aid supports HB 571 and asks that this committee give it a favorable report. This letter serves as notice that Gregory Countess, Esq. will testify in support of HB 571 on behalf of Maryland Legal Aid.

In 2010, the Maryland Access to Justice Commission recommended in its 2009 Interim Report the establishment of a right to counsel for poor persons in this state. The Commission supported the principle that low-income Marylanders should have a right to counsel at public expense for adversarial proceedings where basic human needs are at stake, including shelter.<sup>1</sup> In 2021, the Maryland General Assembly supported this principle by enacting legislation to provide access to counsel in certain cases. The bill did not guarantee a right to counsel or provide funding to support the Access to Counsel program. Though the enacted statute did

**EXECUTIVE STAFF**

**Wilhelm H. Joseph, Jr., Esq.**  
Executive Director

**Stuart O. Simms, Esq.**  
Chief Counsel

**Gustava E. Taler, Esq.**  
Chief Operating Officer

Administrative Offices  
500 East Lexington Street  
Baltimore, MD 21202  
(410) 951-7777  
(800) 999-8904  
(410) 951-7778 (Fax)

www.mdlalab.org  
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<sup>1</sup> <https://www.mdcourts.gov/mdatjc/civilrightscounsel>

not create a right to counsel, it is another step toward providing meaningful access to justice for poor Maryland renters.

While MLA represents thousands of poor Marylanders each year in Landlord/Tenant matters, a report from the Legal Service Corporation programs reveals that 86% of the civil legal needs of low-income Americans receive inadequate or no legal help.<sup>2</sup> The Legal Services Corporation, which provides some funding to MLA, reported that 98% of tenants were unrepresented in eviction cases across the country.<sup>3</sup> The story is little different in Maryland. A recent report found that 99% of Baltimore renters were unrepresented in eviction cases while only 4% of Landlords were unrepresented.<sup>4</sup> This bill will provide dedicated funding for the Access to Counsel Program by making available settlement awards received by the Consumer Protection Division of the Attorney General's office.

The right to housing is a principle established in the Universal Declaration of Human Rights, and access to counsel to protect that right from arbitrary deprivation is also a precept propounded in the Declaration.<sup>5</sup> Under the current scheme, tenants cannot effectively protect their right to housing. They face an unfamiliar court system and landlords who are experts in ensuring evictions. Tenants need representation for fundamental fairness and justice in this process. Thus, providing funding to access counsel is necessary to ensure Maryland is in accordance with these human rights laws. For these reasons, MLA asks for a favorable report on HB 571.

/S/ Gregory Countess

Gregory Countess

Director of Advocacy

for Housing and Community Development

410-951-7687

[gcountess@mdlabor.org](mailto:gcountess@mdlabor.org)

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<sup>2</sup> <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/justice-gap-report>

<sup>3</sup> <https://www.lsc.gov/our-impact/publications/other-publications-and-reports/justice-gap-report>

<sup>4</sup> <https://bmorerentersunited.org/rtc/stoutreport/>

<sup>5</sup> [https://www.un.org/en/udhrbook/pdf/udhr\\_booklet\\_en\\_web.pdf](https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf)