



March 31, 2023

Re: Testimony in Support of SB 756, Concerning Access to Counsel in Evictions – Funding

To Chair Barnes, Vice-Chair Chang, and members of the Appropriations Committee:

Thank you for the opportunity to testify in support of SB 756, which would make permanent the \$14 million of annual funding for Maryland’s eviction right to counsel. My organization, the National Coalition for a Civil Right to Counsel, has been involved in [all eighteen successful eviction right to counsel bills to date](#), and we are currently supporting efforts in dozens of other jurisdictions around the country. In fact, nine states have legislation pending this year.

In enacting a statewide right to counsel, Maryland established itself as a leader in the nationwide movement to protect the basic human needs of tenants facing eviction. But such rights are only meaningful when backed up by funding to effectuate the right. By enacting SB 756, Maryland can showcase how to establish substantial, permanent funding in order to ensure that tenants actually receive the benefit of this new right. The \$14 million specified in SB 756 is supported by the [report](#) issued by the Access to Counsel in Evictions Task Force as well as the [General Assembly’s Spending Affordability Committee](#).

Data emerging from the right to counsel programs is providing stunning proof that systemic representation of tenants is succeeding on a variety of levels and fully justifying the funding that is being invested:

- In New York City, 84% of tenants are remaining in their homes, and both the default rate and eviction filing rate have dropped by roughly 30%.
- In San Francisco, nearly 60% of tenants are retaining their units, and of the 30% who did not remain in their unit, 70% received a favorable settlement, such as a move-out with sufficient time and money.
- In Cleveland, the results speak to success on several levels. First, not only did 93% of tenants avoid disruptive displacement, but of the 21% of clients who were unaware of rental assistance at the time they contacted Legal Aid, approximately 98% wanted rental assistance and Legal Aid helped 81% of those clients obtain it. In other words, Legal Aid played a key role in both awareness and securing of rental assistance, which is critical in helping the City emerge from the pandemic without widespread disruption. Moreover, 92% of clients who wanted additional time to move, and 97% who sought monetary relief, were able to get it.

- In Boulder, 63% of represented tenants have avoided eviction, a 26% increase.
- In Kansas City, after the right to counsel program was launched the eviction rate dropped from 99% to less than 20% in the first three months.
- In Toledo, 88% of tenants with closed cases avoided eviction.

One emerging development is that the landlord community in some locations has become receptive to right to counsel. The [Real Estate Board of NY](#) has urged New York State to enact legislation expanding the NYC right to counsel statewide, and [Cleveland landlords who were interviewed by Stout](#) “generally support the intent of RTC-C and believe tenants should be represented in eviction cases.” This support is logical because there are numerous benefits to landlords: where the landlord/tenant relationship has irretrievably broken down, tenant representation can be a great advantage to landlords in helping the sides reach a resolution, and as indicated by the Cleveland data, tenant representation can help secure rental assistance that flows to landlords. And benefits also flow beyond tenants and landlords: [studies have repeatedly found](#) that an eviction right to counsel projects to save cities and states far more than it costs.

Providing funding for Maryland’s eviction right to counsel will have a massive impact: thousands of Maryland families stand to avoid disruptive displacement through the provision of counsel. Moreover, [as is the case throughout the country](#), the effects of evictions are being felt disproportionately by tenants of color, particularly female tenants.

We are happy to answer any questions you may have, as we have done for policymakers in many other jurisdictions. Thank you for your consideration of this important bill.

Sincerely,



John Pollock

Coordinator, NCCRC