



SB 756 - Access to Counsel in Evictions – Funding
Hearing before the Budget and Taxation Committee
March 1, 2023

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.

We urge the Committee to issue a favorable report on SB 756 to ensure permanent funding for access to legal counsel in eviction cases.

As funding for emergency rental assistance winds down and rents in Maryland rise, access to legal counsel for renters facing eviction is more important than ever. 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. As the funding for eviction prevention decreases or is eliminated, the use of legal defenses to prevent evictions for which there is a legal defense is even more important than it has been in the past.

Access to Counsel is highly successful in Anne Arundel County. Administered through a grant with funding from the County, Community Legal Services (CLS) began the Anne Arundel County Eviction Prevention Legal Program in late-2020. That program quickly became what was essentially the equivalent of an Access to Counsel in Evictions (“ACE”) Program even before State funding became available last year. The Anne Arundel County Eviction Prevention Legal Program has been highly successful. In addition to providing legal representation and advice to renters involved in the court process every day of the week, CLS works closely with ACDS and other government and nonprofit agencies working to prevent evictions and end homelessness in Anne Arundel County, participating regularly in meetings

with these organizations and essentially being “on call” for all of us when we have questions or clients with emergencies. While Anne Arundel County was able to utilize COVID-related funding for the last fiscal year to supplement newly-available State funding to keep the Anne Arundel County Eviction Prevention Legal Program running, that level of County funding is not sustainable indefinitely. *Losing the Eviction Prevention Legal Program, or even a reduction in capacity of the Program, would be a huge loss to our community.*

Without State funding going forward, Access to Counsel programs would need to scale back substantially or be shut down completely because counties simply cannot fund these programs on their own indefinitely. The legislature saw the value and justification for creation of the Access to Counsel in Evictions Program two years ago. State funding appropriated for the FY23 budget, coupled with available COVID-related funding, provided a needed boost to help get ACE programs off the ground in counties around the State last year and, in the case of Anne Arundel County, to expand and keep the ACE program going strong. However, the current legislation appropriating State funds for ACE programs has a fast-approaching expiration date absent action by the legislature. Senate Bill 756 is that necessary action – it would ensure that funding for Access to Counsel in Eviction cases in Maryland is permanent in a stable amount beginning with the FY24 budget. Passing SB 756 this year will ensure the legislation creating a right to Access to Counsel in Evictions remains funded and an ongoing reality for Maryland renters.

For the reasons noted above, we urge a FAVORABLE report on SB 756.