



SB 756 - Access to Counsel in Evictions - Funding

Hearing before the Senate Budget and Taxation Committee on March 1, 2023

Position: SUPPORT (FAV)

February 28, 2023

Honorable Chair Guzzone and Members of the Committee:

We are writing to express our strong support for SB756. CASA is the largest membership-based immigrant rights organization in the mid-Atlantic region, with more than 120,000 members in Maryland. Our mission is to create a more just society by building power and improving the quality of life in working class and immigrant communities. We envision a future where our members stand in their own power, our families live free from discrimination and fear, and our diverse communities thrive as we work with our partners to achieve full human rights for all.

For nearly forty years, CASA has employed grassroots community organizing to bring our communities closer together and fight for justice, while simultaneously providing much needed services to these communities, helping to ensure that low-income immigrants are able to live rich and full lives.

The reasons for passing this bill are manifold. As you know, the General Assembly has already mandated the Right to Counsel in Evictions. Our problem now is permanently funding the mandate. This bill takes the simple step of solving that problem.

Funding the right to counsel is critical for CASA members and communities to stay in their homes. For the last two years, CASA has been on the frontlines defending our members against eviction. The reasons to have a lawyer in the courts are numerous. We find that allegations of unpaid rent consistently turn out to be for the wrong amount, the wrong tenant, or the wrong months. We take a second look at a Tenant Holding Over action and discover that only tenants who complained about poor conditions received such notices. We see unlicensed landlords pursuing illegal debts, angry landlords retaliating against their tenants for lawful activity, and negligent landlords forcing tenants to uphold their end of the bargain without performing their own maintenance. These situations almost always require a lawyer to resolve.

The barriers to resolution without a lawyer are higher for CASA members, who often have cultural, educational, and linguistic barriers. It is harder for tenants to fight month-to-month fees and missing ledger payments if they do not speak English. Many landlords rely on their own software and manual rent payment entries – systems which are fallible – and fail to appropriately consider tenants' explanations or proofs of payment. With fewer financial resources, our members also benefit greatly from a lawyer's earlier intervention to prevent further fees and landlords' attorney costs from being piled on to a tenant's rental debt.

The benefits of representation extend far beyond what can be discussed here. They are also contained in the vast record compiled when the original ACE bill was passed. We simply urge this committee to approve continued and permanent funding for representation in landlord-tenant matters.

CASA is also a member of the Renters United Maryland, a statewide coalition of renters, organizers, and advocates, and **we urge the Committee's report of Favorable on SB756.**

Best Regards,

Jonathan Riedel

Jonathan Riedel, Esq.
Supervising Attorney
CASA

