

**IN THE SENATE – BUDGET AND TAXATION COMMITTEE****March 1, 2023****SB 756 – ACCESS TO COUNSEL IN EVICTIONS FUNDING****Position: SUPPORT**

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the Protection & Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM advocates for the rights of people with disabilities to be part of their communities, including access to safe, decent, affordable, and accessible housing.

DRM supports SB 756 which will support implementation of Maryland’s Access to Counsel legislation.

People with disabilities are more likely than their non-disabled peers to experience unemployment and poverty,<sup>1</sup> and nationwide, about 4.1 million people with disabilities spend more than half of their income on rent.<sup>2</sup> In Maryland, more than half of all people with disabilities had annual household incomes below \$15,000 in 2016.<sup>3</sup> While many people with disabilities receive monthly Supplemental Security Income (SSI) benefits, SSI payments alone are usually not enough to afford market rate housing. In 2022, the average monthly rent of a one-bedroom apartment in Maryland was \$1,111, while monthly SSI payments were just \$841.<sup>4</sup> Consequently, many people with disabilities are forced into homelessness, nursing homes, State hospitals, emergency rooms, and Maryland’s jails and prisons.

DRM provides representation to persons with disabilities facing eviction pursuant to Maryland’s Access to Counsel legislation. Here are a few examples of the kinds of cases where we are providing representation:

- A person with a mental health disability was taken to a hospital emergency room by law enforcement four times in an approximately two month period. With the help of his family, he was able to adjust his medication to stabilize his mood. Despite this, the landlord still sought to evict him because of the repeated appearance of police to take him to the emergency department.

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<sup>1</sup> Debra L. Brucker et al., *Health and Health Services Access Among Adults with Disabilities Who Receive Federal Housing Assistance*, HOUSING POLICY DEBATE, Aug. 29, 2017, at 1.

<sup>2</sup> About 4.1 million people with disabilities nationwide pay more than half of their income on rent. CENTER ON BUDGET AND POLICY PRIORITIES, UNITED STATES FEDERAL RENTAL ASSISTANCE FACT SHEET (2021), <https://www.cbpp.org/sites/default/files/atoms/files/12-10-19hous-factsheet-us.pdf>.

<sup>3</sup> MD. DEP’T OF HEALTH, BRFSS BRIEF: DISABILITY AND HEALTH AMONG MARYLAND ADULTS (August 2018), [https://health.maryland.gov/bhm/DHIP/Documents/BRFSS\\_BRIEF\\_2018-08\\_Disability.pdf](https://health.maryland.gov/bhm/DHIP/Documents/BRFSS_BRIEF_2018-08_Disability.pdf).

<sup>4</sup> TECHNICAL ASSISTANCE COLLABORATIVE, PRICED OUT: THE HOUSING CRISIS FOR PEOPLE WITH DISABILITIES (2021), <http://www.tacinc.org/knowledge-resources/priced-out-v2/>. Maximum SSI payments increased to \$794/month in 2021.

- A minor with a developmental disability was disconnected from his school support services because of Covid-19. His mother called Grassroots – the mobile crisis service provider in Howard County – on several occasions. Per Grassroots protocol, a mobile crisis team appeared with police and a clinician to help control his behaviors. The landlord cited the appearance and presence of law enforcement as a reason for their efforts to evict them.
- A woman with an intellectual disability was in an abusive relationship. She was violently beaten by her abuser in her home. Police responded and the abuser was arrested and jailed. After this incident her landlord sent her a Notice to Vacate.
- A veteran with PTSD and physical disabilities had an argument about accessible parking with her landlord – chiefly that the veteran had a designated parking space that other residents were using and the management company was not enforcing. The veteran experienced a brief crisis as a result of an escalating argument and was taken to a hospital. A Notice to Vacate was waiting for her when she returned.
- A child with emotional disabilities was playing with matches in his home and this caused some minor fire damage to the carpet. The mother extinguished the fire but the fire department and police department came. The child was emergency petitioned by police. Despite the only minor damage to the apartment, the family was served with a Notice to Vacate and the landlord cited the arrival of police and fire departments to justify the eviction.

Representation in eviction prevents the unnecessary institutionalization of people with disabilities and furthers community integration.

For these reasons, we urge a favorable report on SB 756. Please do not hesitate to contact David Prater at [davidp@disabilityrightsmd.org](mailto:davidp@disabilityrightsmd.org) at 443-692-2500