



SB 450: Real Property - Limitations on Summoning Law Enforcement or Emergency Services - Prohibition

Testimony of Maryland Centers for Independent Living

Senate: Judicial Proceedings, February 15, 2023

The seven Centers for Independent Living (CIL) in Maryland were established by federal law and work to ensure the civil rights and quality services of people with disabilities in Maryland. CILs are nonprofit disability resource and advocacy organizations located throughout Maryland operated by and for people with disabilities. CIL staff and Boards are at least 51% people with disabilities. We are part of a nationwide network which provides Information and Referral, Advocacy, Peer Support, Independent Living Skills training and Transition Services.

SB 450 would prohibit the eviction of tenants for utilizing emergency public services, such as law enforcement, fire department, and emergency medical services; and prohibits local jurisdictions from passing ordinances that penalize owners and tenants of housing who utilize emergency services.

The punishment and eviction of individuals with disabilities, and their families, who use emergency public services is a civil rights issue.

In Maryland, when a person with a disability is experiencing a mental health or behavioral health crisis, such as suicide, agitation, or depression, calls 9-1-1, it is law enforcement that responds. Similarly, in incidents of domestic violence it is law enforcement that responds. As a result, the utilization of emergency services by individuals with disabilities and their families and survivors of domestic violence is used by landlords as a cause for eviction.

A few examples of individuals with disabilities, and their families, involving the use of emergency services:

- 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 law enforcement to take him to the emergency department.
- 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 law enforcement 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. Law enforcement 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. The veteran had a designated parking space that other residents were using and the management company failed to enforce the mis-use of the designated parking space. The veteran experienced a brief mental health crisis as a result of the escalating argument and was taken to a hospital by emergency services. A Notice to Vacate was waiting for her when she returned.
- A child with emotional disabilities was playing with matches in his home that created a fire that caused minor fire damage to the carpet. The mother extinguished the fire but the fire department and law enforcement came. The child was emergency petitioned by law enforcement. Despite the only minor damage to the apartment, the family was served with a Notice to Vacate and the landlord cited the arrival of law enforcement and the fire department to justify the eviction.
- A person with a physical disability was attempting to cook a meal and set off the fire alarm. The fire department came, cleared the apartment of smoke and left. Soon after, he received Notice to Vacate from his landlord because the fire department came to his home.
- A mother of two who is blind accidentally bumped the front controls on her stove and ignited an egg carton on her stove top. She quickly extinguished the flames and placed the egg carton down the garbage chute. A fire alarm was activated and the fire department arrived. There was no fire to extinguish. Nonetheless, she received a Notice to Vacate.
- In older apartment buildings without elevators, people who use wheelchairs or have physical disabilities must call emergency services in order to enter or leave their apartment. It is not difficult to conceive the repeated use of EMS services to access a dwelling unit as a 'nuisance' to landlords or law enforcement agencies.

Finally, as the opioid crisis continues to ravage Maryland communities, SB 450 offers another important protection for persons who need urgent medical attention. Maryland has already codified protections for people from criminal prosecution for using emergency services to save lives from overdose. SB 450 would similarly protect the housing of individuals with disabilities, and their families, who call emergency services to save lives.

SB 450 is common-sense legislation that prohibits actions by housing providers and local jurisdictions from punishing people, who are disproportionately members of protected classes under the Fair Housing Act Amendments, from using our emergency services.

We respectfully urge this committee to return a favorable report on SB450.

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