



**MARYLAND
LEGAL AID**

Advancing
**Human Rights and
Justice for All**

BALTIMORE CITY OFFICE

Jeffrey L. Kaplan, Esq.
Chief Attorney
jkaplan@mdlalab.org

Christina Moore, Esq.
Chief Attorney
cmoore@mdlalab.org

Andrew W. Rabinowitz, Esq.
Chief Attorney
arabinowitz@mdlalab.org

(410) 951-7769
(Fax-Administrative/Domestic)

(410) 951-7768
(Fax-Housing/Consumer)

February 8, 2023

Senator William C. Smith, Jr.
Chair, Judicial Proceedings Committee
2 East, Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

**Re: Testimony in Support of Senate Bill (SB) 279 – Real Property – Actions
for Possession – Pet Protections.**

Dear Chairperson Smith and Members of the Committee:

Thank you for the opportunity to provide testimony on SB 279. Maryland Legal Aid (MLA) is a private, non-profit law firm that provides free legal services to indigent Maryland residents, from 12 offices around the state. MLA helps individuals and families in every Maryland county, with many civil legal issues, including housing, consumer, public benefits, and family law matters. MLA often advises and represents low-income clients facing eviction and is therefore familiar with the serious challenges indigent tenants face, particularly those tenants who are pet caretakers/owners.

I have been a Maryland Legal Aid attorney for more than 23 years. I specialize in consumer issues including home preservation. I have seen the value pets bring to those in the low-income community. I have found that pet ownership can be used to reach and help more indigent individuals and families who need not only help to support pet ownership, but legal assistance with critical issues including home ownership, benefits, domestic problems, bankruptcy, etc. Most recently, I represented MLA in a joint research project with Johns Hopkins School of Public Health that used MLA data on evictions, and data from Baltimore City's open access animal shelter (BARCS), to locate a path to reducing the risk of homelessness and improving quality of life in the low-income community, through supporting pet ownership.

EXECUTIVE STAFF

Vicki Schultz, Esq.
Executive Director

Kristi Schulenberg, Esq.
Chief Operating Officer

Somil B. Trivedi, Esq.
Chief Legal & Advocacy Director

Administrative Offices
500 East Lexington Street
Baltimore, MD 21202
(410) 951-7777
(800) 999-8904
(410) 951-7778 (Fax)

www.mdlalab.org
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It is not uncommon for pets to be left behind as a result of an eviction. The vast majority of unrepresented low income tenants lack the knowledge of or access to resources that provide information about tenants' rights and support services that would help to either avoid an eviction or help them make plans ahead of time. As a result, tenants facing eviction are left struggling to understand the eviction process. This confusion happens whether the eviction is carried out through the judicial system or not, for example where the tenant's lease ends or is not renewed by the landlord. In either case, the eviction process moves quickly and leaves little time for an individual with limited income to plan ahead to locate an affordable place to move, much less an affordable place to move that allows pets. Without this knowledge, a tenant is more likely to become homeless after an eviction. If the tenant facing eviction knows about their local open-access animal shelter and can find and afford transportation to take their pet(s) there, most must face the likelihood that their pet(s) will be euthanized because most open access shelters are beyond capacity and resort to euthanasia to lower the number of animals in their care. Currently there is no legal requirement that a pet be moved to a safe location after an eviction, or that any effort be made to help a pet owner who has been evicted, to reunite with their pet. As a result, those facing eviction often see no alternative except to leave their pet behind, and hope that someone will find and take care of the pet.

Homelessness is a public health crisis fed by evictions. To prevent it, we must locate and use every avenue to provide low-income individuals at risk of homelessness with access to justice and resources to help them maintain a healthy quality of life which includes safe affordable housing. SB 279 uses the "human-animal bond" to help those facing homelessness access resources that can prevent homelessness and allow them to be able to reunite with their pet. Having stable housing and a pet have both been shown to lead to better health outcomes for low-income individuals. The information that SB 279 requires be provided to a tenant who is a pet owner and to the shelter where their pet is taken after an eviction, makes pet ownership one more avenue for low income individuals to access resources that can help them find and maintain stable long term housing. Once in touch with the animal shelter, they can access a list of

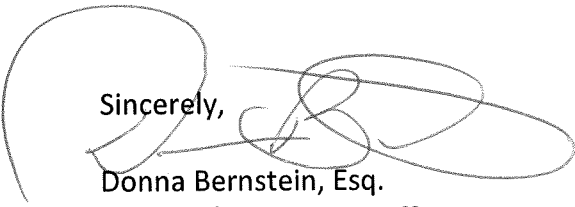
supportive services such as free legal assistance, information about pet friendly housing, and free resources to support pet ownership.

MLA would ask that you consider two important amendments, each of which would increase the likelihood that pets left behind are kept safe and given a better chance of reuniting with their caretaker and would increase the likelihood of low-income pet owners accessing valuable information and resources to improve quality of life for both the pet owner and their pet. Those are the following:

1. Expand the definition of a pet to include not only dogs and cats, but other pets, including but not limited to gerbils, hamsters, rabbits, lizards, snakes. All types of pets should be kept safe from suffering that can be caused by an eviction.
2. In those cases where the property is returned to the landlord without the use of the judicial process, such as when a tenant's lease ends or is not renewed, the landlord be required to keep the "fact sheet" on hand and follow the same process that the sheriff, constable, or other officials, must follow, including contacting an animal shelter or animal rescue organization to take possession of the pet, providing that entity with the contact information for the caretaker, and if possible providing that caretaker with the contact information for the entity where the pet was taken.

MLA supports SB 279 and asks that this Committee give it a favorable report.

Sincerely,



Donna Bernstein, Esq.
Housing/Consumer Staff Attorney
Legal Aid Bureau, Inc.
500 E. Lexington Street
Baltimore, MD 21202
410-951-7787
dbernstein@mdlaborg