



**Written Testimony of David Wheaton
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**Submitted to the Appropriations Committee of
the Maryland House of Delegates
In Connection with the February 6, 2024 Hearing**

I. Introduction

My name is David Wheaton, and I am an attorney with the NAACP Legal Defense and Educational Fund, Inc. (LDF). LDF offers the following testimony in favor of Maryland House Bill 428, which would establish the Rental Assistance for Community School Families Program to help eligible student households avoid eviction. Unfortunately, Black children in Maryland are disproportionately likely to experience eviction and the significant negative consequences that result, including school attendance issues, mental health issues, harms to neurodevelopment, and overall child health.¹ Black households have the highest eviction removal count in Maryland—almost three times higher than the eviction rate for white residents.² This bill would improve outcomes for children, particularly Black children, by offering rental assistance funds to help families with school-aged children who are at risk of eviction stay in their homes, improving their educational and health outcomes.

Founded in 1940 by Thurgood Marshall, LDF is the nation’s oldest civil rights law organization. LDF was launched at a time when America’s aspirations for equality and due process of law were stifled by widespread state-sponsored racial inequality. For more than 80 years, LDF has relied on the Constitution and federal and state civil rights laws to pursue equality and justice for Black people and other people of color, including fair housing opportunities for Black people.

¹ Ramphal B, Keen R, Okuzuno SS, *Ojogho D, Slopen N, Evictions and Infant and Child Health Outcomes: A Systematic Review*, JAMA Network, (2023), <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2803667>

² Tim Thomas, et al, *Baltimore Eviction Map*, The Eviction Study, (May 8, 2020), [https://evictionresearch.net/maryland/report/baltimore.html#:~:text=Black%20headed%20households%20had%20the,eviction%20rate%20of%205.2%25\).](https://evictionresearch.net/maryland/report/baltimore.html#:~:text=Black%20headed%20households%20had%20the,eviction%20rate%20of%205.2%25).)

Some of LDF's early victories in the Supreme Court came in *Shelley v. Kramer*, 334 U.S. 1 (1948), and *McGhee v. Sipes*, 334 U.S. 1 (1948), which held that the state enforcement of racially-restrictive covenants violated the Equal Protection Clause. In the decades since those victories, LDF has continued to challenge public and private policies and practices that deny Black people safe and quality housing and free from discrimination. LDF's mission has always been transformative: to achieve racial justice, equality, and an inclusive society.

II. Childhood eviction significantly and disproportionately disadvantages Black children.

As a result of decades of discrimination in housing, lending, employment, and other areas, Black people are disproportionately likely to be renters, and are more likely to face evictions and other forms of housing instability.³ Specifically, childhood eviction—which HB 483 is trying to address—significantly and disproportionately disadvantages Black children.

While the Fair Housing Act of 1968 was passed to prevent discrimination and reverse housing segregation, Black people continue to struggle to find safe, stable, and affordable housing. Due to historical and ongoing discrimination, there is a large and growing racial homeownership gap. In 2021, Black families had a homeownership rate of 46.4% compared to 75.8% for white families.⁴ In majority-Black Baltimore, the Black homeownership gap is 30.1%—10% higher than the statewide rate⁵ Because they are locked out of homeownership, most Black people rent: In 2021, about 58% of households headed by Black adults in the U.S. rent their homes according to national Census data.⁶ Black people are also live more frequently in unsafe subsidized housing,⁷ and are disproportionately likely to spend more than 30% of their income on rent.⁸ This number is even higher in Baltimore, where approximately 60% of Black renters pay more than 30% of their income on rent compared to 47% of white renters.⁹

³ Urban Institute, *The Ghosts of Housing Discrimination Reach Beyond Redlining: Subtitle Why Historical Redlining Maps Are Not Strong Predictors of Present-Day Housing Instability*, (March 15, 2023), <https://www.urban.org/features/ghosts-housing-discrimination-reach-beyond-redlining#:~:text=Because%20of%20a%20range%20of,housing%20cost%20burden%20and%20eviction.>

⁴ Rashawn Ray, Andre Perry, & David Harshbarger, *Homeownership, Racial Segregation, and Policy Solutions to Racial Wealth Equity*, Brookings Institute, September 1, 2021, <https://www.brookings.edu/articles/homeownership-racial-segregation-and-policies-for-racial-wealth-equity/>.

⁵ Stateline, *Black Families Fall Further Behind on Homeownership*, Maryland Matters, (October 15, 2022), <https://www.marylandmatters.org/2022/10/15/black-families-fall-further-behind-on-homeownership/#:~:text=The%20overall%20homeownership%20rate%20is,Black%20homeownership%20rate%20is%2051%25.>

⁶ U.S. Census Bureau, *Demographic Characteristics for Occupied Housing Units*, American Community Survey, 2019, [https://data.census.gov/table?q=Owner/Renter+\(Householder\)+Characteristics&tid=ACSS1Y2019.S2502](https://data.census.gov/table?q=Owner/Renter+(Householder)+Characteristics&tid=ACSS1Y2019.S2502)

⁷ Jill Rosen, *Study: Racial disparities in outcomes for those who grow up in subsidized housing have largely vanished*, Johns Hopkins University, May 8, 2017, <https://hub.jhu.edu/2017/05/08/black-white-kids-in-public-housing-fare-similarly/#:~:text=Black%20families%20getting%20subsidized%20housing,impoverished%20neighborhoods%2C%20the%20study%20found.>

⁸ National Low Income Housing Coalition, *Gap Report*, (March 16, 2023), <https://nlihc.org/gap.>

⁹ Public Justice Center, *The Economic Impact of an Eviction Right to Counsel in Baltimore City*, (May 8, 2020), <https://cdn2.hubspot.net/hubfs/4408380/PDF/Eviction-Reports-Articles-Cities-States/baltimore-rtc-report-final-5-8-2020.pdf>.

As a result of these factors, Black residents—and Black children in particular—are more prone to evictions. Even before the pandemic, in 2019, an estimated 16,200 Maryland school children lived in shelters, on the street, doubled up with other families, or in hotels or motels.¹⁰ Maryland children are likely to experience similar or higher levels of housing instability now that the pandemic-era eviction moratorium has ended. The highest risk of eviction falls among families with Black children, who are nearly twice as likely to face eviction compared to families with white children.¹¹ Nearly 20 percent of children born to Black mothers experience eviction, compared with only 11.3 percent of children born to white mothers.¹² Nationally, an estimated 30% of children in families living below the poverty line experience an eviction by the time they are 15.¹³ In Maryland, 1 in 4 Black children in rental households face the threat of eviction in a typical year.¹⁴

Researchers at Boston University found that evictions often leads to further residential instability, resulting in families moving into poor quality housing, overcrowding, and homelessness, all of which are associated with negative health among adults and children, as discussed in the next section.¹⁵ Other research has similarly found that for families, eviction causes significant increases in homelessness and housing instability, and these effects can last 12 to 24 months or longer after an eviction case is filed.¹⁶

III. Evictions disrupt nearly every facet of a family’s life and negatively impact child health and development.

For children and families, eviction is a major life event that has damaging effects long after they are forced to leave their home. Evictions negatively affects children’s emotional and physical well-being; increases the likelihood of emotional trauma, lead poisoning, and food insecurity; and

¹⁰ Center on Budget and Policy Priorities, *Federal Rental Assistance Fact Sheets: Maryland*, (January 19, 2022), <https://www.cbpp.org/research/federal-rental-assistance-fact-sheets#MD>.

¹¹ Kathryn M. Leifheit, et al., *Eviction in Early Childhood and Neighborhood Poverty, Food Security, and Obesity in Later Childhood and Adolescence: Evidence from a Longitudinal Birth Cohort*, Science Direct Vol. 11, (2020), <https://www.sciencedirect.com/science/article/pii/S2352827320300331?via%3Dihub>.

¹² Cleo Bluthenthal, *The Disproportionate Burden of Eviction on Black Women*, Center for American Progress, (August 14, 2023), <https://www.americanprogress.org/article/the-disproportionate-burden-of-eviction-on-black-women/>.

¹³ Emily A. Benfer, *U.S. Eviction Policy is Harming Children: The Case for Sustainable Eviction Prevention to Promote Health Equity*, Harvard University School of Law: Petrie Flom Center, (November 2, 2022), <https://blog.petrieflom.law.harvard.edu/2022/11/02/pandemic-eviction-policy-children/>.

¹⁴ Maryland Eviction Prevention Funds Alliance, *Assessment of Maryland’s Need for Eviction Prevention Funds (EPF) and the Estimated Fiscal Impact of EPF*, (December 19, 2023), https://www.mdeconomy.org/wp-content/uploads/2023/12/Assessment-of-Marylands-Need-for-EPF-and-Directional-Fiscal-Impacts-of-EPF_FINAL_2023.12.19-1.pdf.

¹⁵ Boston University School of Public Health, *The Hidden Health Crisis of Eviction*, (October 5, 2018), <https://www.bu.edu/sph/news/articles/2018/the-hidden-health-crisis-of-eviction/>.

¹⁶ James T. Spartz, *Eviction Prevention: Reducing Harm To Households And Society*, University of Wisconsin-Madison Institute for Research on Poverty, (February 2023), <https://www.irp.wisc.edu/resource/eviction-prevention-reducing-harm-to-households-and-society/#:~:text=Eviction%20causes%20significant%20increases%20in,an%20eviction%20case%20is%20filed.>

leads to academic decline and delays.¹⁷ These consequences include school attendance issues, mental health issues, harms to neurodevelopment, and overall child health.¹⁸

Research has shown that an eviction can affect a child’s health both through its acute short-term effects and cascading consequences that span multiple stages and settings of child development.¹⁹ These consequences include:

- *Food Insecurity*: Children at the age of 5 that were evicted had over twice the prevalence of food insecurity compared to children who were not evicted.²⁰
- *Mental Health Issues*: There is evidence that children who have experienced multiple moves or homelessness are more likely to develop mental illness.²¹
- *Low School Attendance and Performance*: There is an established connection between evictions and higher student mobility and chronic absenteeism. A study from researchers at Georgia Tech showed that show a clear relationship between evictions and student attendance.²² Areas with higher rates of evictions are more likely to have more student displacement.²³ Schools in neighborhoods with higher rates of evictions also have significantly above average rates of chronic absenteeism, while schools with the lowest rates of absenteeism also are located in neighborhoods with low eviction rates.²⁴

Black children in Maryland are disproportionately prone to the consequences of evictions because Black households have the highest eviction removal rate in Maryland—almost three times higher than the eviction rate for white residents.²⁵ Annual eviction filing rates among Black adults living with kids surpass 25%, well over double the risk faced by members of any other group.²⁶ Evictions often lead to housing insecurity and families moving to undesirable areas. Most Black children in the U.S live in neighborhoods that lack amenities associated with children’s healthy

¹⁷ Emily A. Benfer, *U.S. Eviction Policy is Harming Children: The Case for Sustainable Eviction Prevention to Promote Health Equity*, Harvard University School of Law: Petrie Flom Center, (November 2, 2022), <https://blog.petrieflom.law.harvard.edu/2022/11/02/pandemic-eviction-policy-children/>.

¹⁸ Id.

¹⁹ Id.

²⁰ Kathryn M. Leifheit, et al., *Eviction in Early Childhood and Neighborhood Poverty, Food Security, and Obesity in Later Childhood and Adolescence: Evidence from a Longitudinal Birth Cohort*, Science Direct Vol. 11, (2020), <https://www.sciencedirect.com/science/article/pii/S2352827320300331?via%3Dihub>.

²¹ Bruce Ramphal, et al, *Evictions and Infant and Child Health Outcomes*, National Library of Medicine, (April 11, 2023), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10091158/>.

²² Victor Pearse Haley Jr, *The Impact of Eviction on Student Displacement*, Georgia Institute of Technology School of City and Regional Planning, (2020), <https://repository.gatech.edu/server/api/core/bitstreams/86212b1a-57e7-4f1c-941d-417a7c6730e7/content>.

²³ Id.

²⁴ Kathryn Howell, *Eviction and Educational Instability in Richmond, Virginia*, Virginia Commonwealth University Center for Urban and Regional Analysis, (2018), <https://cura.vcu.edu/media/cura/pdfs/cura-documents/EvictionandEducationalInstabilityinRichmond.pdf>.

²⁵ Tim Thomas, et al, *Baltimore Eviction Map*, The Eviction Study, (May 8, 2020), <https://evictionresearch.net/maryland/report/baltimore.html#:~:text=Black%20headed%20households%20had%20the,eviction%20rate%20of%205.2%25>.

²⁶ Nick Graetz, Carl Gershenson, Peter Hepburn, and Matthew Desmond, *Who is Evicted in America*. Eviction Lab, (October 2, 2023), <https://evictionlab.org/who-is-evicted-in-america/>.

development.²⁷ Black children are more likely to experience food insecurity than children of other races. In 2022, 29% of Black children lived in food insecure households.

IV. HB 428 offers the opportunity for families to fight housing instability and reduce the number of evictions.

HB 428 would offer rental assistance to families whose students attend community schools throughout the state, providing children with the stability they need to grow and learn. Given the impact of housing instability on educational outcomes and child development, connecting rental assistance with the community school program is an essential addition to the network of support that community schools offer their students and families, which also includes physical and mental health programs, academic programs, and extracurricular support. Adding a rental assistance program would strengthen the support for children and families that attend these schools. By reducing homelessness, housing instability, and poverty, rental assistance helps children avoid the adverse effects these problems have on their health, development, and education.²⁸

Research shows that rental assistance is an effective intervention to improve student outcomes. Similar federal programs both improved the consistency of school attendance for children and decreased the number of families living in shelters.²⁹ Studies also find that children whose families use rental assistance move to lower-poverty neighborhoods. This is critical for student development as studies have shown that students who moved to lower poverty neighborhoods had much better educational outcomes and earnings as adults.³⁰ A study of low-income children in Montgomery County, Maryland found that children who moved to attend lower-poverty schools cut the math achievement gap with their higher-income peers in half; the comparison group at higher-poverty schools showed no relative improvement.³¹ Furthermore, participants who were receiving rental assistance had lower odds of reporting housing instability and low-quality housing.³² A 2021 study showed that individuals who received some level of rental assistance had better housing outcomes than people who did not receive rental assistance.³³

²⁷ Mavis Sanders, et al, *Most Black Children Live in Neighborhoods That Lack Amenities Associated with Child Well-being*, Child Trends, (February 24, 2023), <https://www.childtrends.org/blog/most-black-children-live-in-neighborhoods-that-lack-amenities-associated-with-child-well-being>.

²⁸ WILL FISCHER, DOUGLAS RICE, AND ALICIA MAZZARA, *Research Shows Rental Assistance Reduces Hardship and Provides Platform to Expand Opportunity for Low-Income Families*, Center on Budget and Policy Priorities, (December 5, 2019), <https://www.cbpp.org/research/housing/research-shows-rental-assistance-reduces-hardship-and-provides-platform-to-expand>.

²⁹ Maryland Eviction Prevention Funds Alliance, *Assessment of Maryland's Need for Eviction Prevention Funds (EPF) and the Estimated Fiscal Impact of EPF*, (December 19, 2023), https://www.mdeconomy.org/wp-content/uploads/2023/12/Assessment-of-Marylands-Need-for-EPF-and-Directional-Fiscal-Impacts-of-EPF_FINAL_2023.12.19-1.pdf.

³⁰ U.S. Department of Housing and Urban Development, *Strategies for Overcoming Barriers to Neighborhoods and Schools of Opportunity*, (November 21, 2016), <https://www.huduser.gov/portal/pdredge/pdr-edge-featd-article-112116.html#:~:text=New%20research%20by%20Raj%20Chetty,outcomes%20and%20earnings%20at%20adults>.

³¹ Id.

³² Rebecca Schapiro, et al, *The Effects of Rental Assistance on Housing Stability, Quality, Autonomy, and Affordability*, Housing Policy Debate, (January 8, 2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9173361/>

³³ Id.

V. Conclusion

Housing assistance programs like what is proposed in HB 428 can sharply reduce homelessness, housing instability, and poverty, thereby improving children's chances of long-term success.³⁴ Given the number of negative consequences that an eviction can pose to children, providing valuable rental assistance programs for families should be a priority for the State of Maryland. HB 428 would improve outcomes for children, particularly Black children, by offering critical rental assistance funds to help families stay in their homes and improve their educational and health outcomes. For the reasons stated above, LDF strongly encourages the passage of HB 428 and urges that more funding be directed to expanding rental assistance programs across the state.

Thank you for the opportunity to testify. If you have any questions, please contact David Wheaton, Economic Justice Policy Fellow, at dwheaton@naacpldf.org, or Amalea Smirniotopoulos, Senior Policy Counsel and Co-Manager of the Equal Protection Initiative, at asmirniotopoulos@naacpldf.org.

³⁴Will Fischer, *Chart Book: Rental Assistance Reduces Hardship, Promotes Children's Long-Term Success*, Center on Budget and Policy Priorities, (July 5, 2016), <https://www.cbpp.org/research/chart-book-rental-assistance-reduces-hardship-promotes-childrens-long-term-success>.