



HB1114 – Real Property - Landlord and Tenant - Procedures for Failure to Pay Rent, Breach of Lease, and Tenant Holding Over

Hearing of the Environment and Transportation Committee, February 27, 2024

Position: Favorable

SUPPORT: ACDS strongly supports HB1114.

The Bill

This bill will bring Maryland’s eviction process in line with the rest of the country by ensuring that families and individuals on the verge of eviction have advance notice of the date when their eviction will occur and a limited period of time after the eviction date within which to gather their personal belongings.

All of Maryland’s neighboring states, including New Jersey, West Virginia, Pennsylvania, Delaware, Virginia, North Carolina, and the District of Columbia, have laws that require both advance notice of an eviction date and a period of time within which evicted families can gather personal belongings. In fact, 46 states in the US have laws that require notice to a tenant of their eviction date and/or a reclamation period post eviction for tenants to gather their belongings, or both. *Currently, Maryland has neither.*

ACDS Connection to Eviction Matters

ACDS serves as Anne Arundel County’s nonprofit housing and community development agency. As part of fulfilling this role, ACDS administers an Eviction Prevention Program providing financial assistance to prevent the eviction of families and individuals facing imminent eviction, administers grants to other nonprofits providing eviction prevention assistance, and coordinates the County’s Continuum of Care and local Coalition to End Homelessness. We interact closely everyday with government agencies, school personnel, legal services providers, foundations, inter-faith organizations, and others that help individuals and families facing eviction and families that need help rebuilding their lives, often from the ground up, after the family has been evicted.

Who is Most Affected by Eviction and the Threat of Eviction? Families with children, especially families with a child under the age of five, are overwhelmingly the most likely demographic to be threatened by eviction and are also most likely to actually be evicted.

Late in 2023, the [Proceedings of the National Academy of Sciences of the United States of America](#) (PNAS) published new data developed through an innovative partnership between Princeton University’s Eviction Lab, Rutgers University, and the US Census Bureau. They linked millions of eviction court records with detailed census data to provide the most accurate and comprehensive estimates to date of demographic variations in eviction risk, finding that **evictions overwhelmingly affect households with children present – 40% of individuals threatened with eviction are children.** Racial disparities are stark, also - **about a quarter of Black babies and toddlers in rental households face the threat of eviction.** The study

reveals that **not only does the average evicted household include a child, but the most common age to experience this traumatic event is during the earliest years of a child's life.**

Advance Notice of an Eviction Date Would Provide Time for Local Agencies to Step In to Help. Families are often taken by surprise when the Sheriff and a moving crew appear at their home to change the locks and toss their belongings out of the house. With advance notice of their scheduled eviction date, households and the agencies that may help them will know exactly how much time they have to come up with the amount needed to "pay and stay," or to make other arrangements for their housing. This time is absolutely critical for the agencies and organizations that might be able to assist the families either with funding, so they can pay and stay, or with arranging housing alternatives.

When a family is evicted without notice and they are unable to preserve their belongings, the family's crisis is often shared with the agencies and organizations whose responsibility and mission is to help pick up the pieces, including school staff tasked with ensuring the educational success of children who are homeless or housing insecure. Loss of not just the roof over their heads, but also all their property, creates a crisis that especially traumatizes children. They lose all their belongings - their pets, cherished toys, schoolbooks and school laptops, clothing - literally everything they own is lost, often before their very eyes. For adults, too, the loss of everything - vital medicines, key documents like passports and IDs, credit cards and banking documents, computers, work clothes, tools needed for work, car keys, food, furniture, etc.. The losses can set a family back not just temporarily, but permanently.

For those without alternatives, shelter must be located, along with resources for everyday life. We know from our interactions with our local nonprofits helping families start over, that those nonprofits and interfaith groups are at their limit and can't keep up with the needs of families who need to restock everything they have lost. Resources would be much more effective if directed toward helping families preserve rather than replace belongings.

Advance Notice of Eviction Dates and Some Time for Families to Gather Their Belongings Will be Life-Changing for Many Families. Maryland's current eviction process creates unnecessary crises. With the change contemplated by this bill - advance notice of the eviction date and time to gather belongings - both the crisis element and the lifelong trauma and economic impact caused by eviction will be avoided, or at least ameliorated. Families will have a chance to avoid eviction altogether or to at least preserve the belongings they need to move forward with their lives after an eviction.

For the reasons noted above, ACDS urges the Committee to issue a FAVORABLE report on HB1114.