

HB 103 – Access to Council in Evictions – Task Force Termination and Special Fund**Hearing before the House Appropriations Committee – February 11, 2025****POSITION: FAVORABLE**

Disability Rights Maryland (DRM) is the federally designated Protection & Advocacy organization in Maryland mandated to advance the civil rights of people with disabilities. One of DRM's goals is to end the unnecessary segregation and institutionalization of Marylanders with disabilities. To achieve this DRM's Housing Team works to expand opportunities for affordable and accessible housing and seeks to limit evictions of Marylanders with disabilities so they can live with dignity as part of their communities.

The following are examples of work done by DRM attorneys through the ACE program:

DRM represented a client living in public housing who the Housing Authority of Baltimore City (HABC) attempted to evict based upon an incident allegedly committed by her young son who has mental health disabilities. The client immediately sought counseling for her son, who also attended a juvenile intervention program through the courts. The client provided evidence to HABC and requested as a reasonable accommodation that HABC dismiss the breach of lease (BOL) case against her, which it did. However, a year later, HABC filed another BOL complaint based upon the same incident, violating both its internal reasonable accommodation's policy and Maryland rules. The client contacted DRM who represented her and persuaded HABC to dismiss the BOL case with prejudice.

DRM represented a client who has a prescribed emotional support animal which was approved as a reasonable accommodation by management. When new management took over the complex, they sent a lease termination notice to the client for violation of the "no pets" policy. DRM intervened, informed management that under the Fair Housing Act and Maryland's Human Relations Article, an emotional support animal is not a "pet" and was not subject to the complex's policy. The management withdrew its termination notice and agreed not to file a breach of lease complaint against the tenant.

DRM also represents tenants in failure to pay rent (FTPR) cases. These cases sometimes involve clients who haven't paid rent for reasons related to their disabilities (such as being hospitalized) and need time to catch up on the arrears. DRM assists the tenant with negotiating a repayment agreement with the landlord. Other cases involve tenants with federal subsidies (who generally pay 30% of their gross income in rent) who have experienced a loss of income, but who's rent portion has not been decreased. In these situations, DRM assists the tenant in getting a redetermination of their income, resulting in their rent portion being retroactively decreased. DRM attorneys ensure the FTPR case is dismissed upon resolving the underlying issue.

In addition, despite Maryland Supreme Court caselaw clarifying that a landlord can file a FTPR complaint for only "rent" and late fees, not other charges, landlords continue this practice. There are ongoing issues with non-attorney agents representing landlords in FTPR cases throughout Maryland. The agents are not supervised by attorneys and often are unable to explain charges on the tenant's ledger, while insisting the ledgers are accurate. Without access to representation, tenants will have judgments entered against them and evictions carried out based on charges that are not rent in violation of Maryland law. It is essential that ACE

continue to be funded long term to avoid such injustice.

Moreover, Maryland is in an affordable housing crisis. The National Low Income Housing Coalition (NLIHC) documents affordable and available homes per every 100 renter households (“HHs”) in Maryland by area median income (AMI) as follows: 80% AMI, 97 homes per 100 renter HHs; 50% AMI, 59 homes per 100 renter HHs; ELI (30% or lower AMI), 32 homes per 100 renter HHs.¹ More than half of Maryland renters are cost burdened. As of the 2020 census, Maryland had 2,530,844 households,² out of which approximately 754,068 are currently renter households.³ More than 50% of Maryland renters are cost burdened, paying more than 30% of their wages on housing-related costs. While 26% of these renters are extremely low-income households (ELI), meaning their incomes are at or below the poverty guidelines or 30% of their area median income (AMI) (*Ibid*, at note 2). Seventy-three percent (73%) of ELI renter households are severely cost burdened, meaning they spend more than 50% of their income on rent and utilities. *Id*.

People with disabilities are more likely than their non-disabled peers to experience unemployment and poverty. In Maryland, more than half of all people with disabilities had annual household incomes below \$15,000 in 2016.⁴ The approximately 82,873 Marylanders whose sole income is Supplemental Security Income (SSI) benefits,⁵ currently \$967.00 a month, cannot afford a one-bedroom or even an efficiency apartment in any Maryland county without also having a housing subsidy.⁶

DRM also refers the committee to testimony submitted by the Maryland Legal Services Corporation which provides statistics on ACE investments providing fiscal savings to the State, reducing costs for homelessness intervention, preserving employment, school, family, and community stability and reducing the economic impact on social services and criminal justice systems – not to mention avoiding the negative health outcomes and trauma associated with experiencing eviction and its aftermath.

For these reasons, DRM urges a favorable report on HB 103. Please contact me at the information below with any questions regarding this testimony.

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¹ See NLIHC -State Data Overview: [Maryland | National Low Income Housing Coalition](#) (2025)

² U.S. Census, 2020. [Maryland - Census Bureau Profile](#)

³ See NLIHC, [Out of Reach: Maryland | National Low Income Housing Coalition](#) (2025)

⁴ MD. DEPT 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.

⁵ An additional 30,523 receive SSI and Social Security benefits. See Social Security Administration, [SSI Recipients by State and County, 2023 - Table 3 - Maryland](#).

⁶ TECHNICAL ASSISTANCE COLLABORATIVE, PRICED OUT: THE HOUSING CRISIS FOR PEOPLE WITH DISABILITIES (2025), [Priced Out - TAC](#).