



## **Testimony in SUPPORT of HB103**

Access to Counsel in Evictions – Task Force Termination and Special Fund

House Appropriations Committee

February 11, 2025

Honorable Chair Barnes, Vice Chair Chang, and Members of the Committee,

CASA strongly supports for HB103. CASA is the largest membership-based immigrant rights organization in the mid-Atlantic region, with more than 120,000 members in Maryland. Our mission is to create a more just society by building power and improving the quality of life in working-class and immigrant communities. We envision a future where our members stand in their own power, our families live free from discrimination and fear, and our diverse communities thrive as we work with our partners to achieve full human rights for all.

For nearly forty years, CASA has employed grassroots community organizing to bring our communities closer together and fight for justice, while simultaneously providing much needed services to these communities, helping to ensure that low-income immigrants are able to live rich and full lives.

The reasons for passing this bill are manifest. As you know, the General Assembly has already mandated the Right to Access Counsel in Evictions Program (ACE). Our task now is to permanently fund this mandate to ensure tenants remain on equal footing with landlords, balance our justice system, and align with the long-term vision of the state. This bill takes the simple step of solving that problem.

In FY 2024, under 100 attorneys, paralegals, and staff were responsible for providing legal resources and advice to over 9,000 tenants under the ACE Program. Further, in FY 2024 alone, the ACE program provided over \$46 million in fiscal impacts and economic benefits, which amounts to a \$3 return for every \$1 invested by the state.<sup>1</sup> Despite the tireless work of legal advocates to provide effective representation to tenants, it is a drop in the bucket compared to the 400,000 eviction notices landlords filed in the past year. In order to continue and expand the right

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<sup>1</sup> Report of the Access to Counsel in Evictions Task Force January 2025, chrome extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.marylandattorneygeneral.gov/A2C\_Docs/2025\_ACE\_TF\_Report.pdf

to counsel in evictions to tenants more broadly, we need permanent and sustainable funding for the ACE program.

Permanently funding the right to counsel is critical for CASA members and communities to stay in their homes. For the last four years, CASA, in partnership with other key stakeholders, has been on the frontlines defending our members against eviction. The reasons for tenants to have a lawyer in the courts are numerous. We find that allegations of unpaid rent consistently turn out to be for the wrong amount, the wrong tenant, or the wrong months. We take a second look at a Tenant Holding Over action and discover that only tenants who complained about poor conditions received such notices. We see unlicensed landlords pursuing illegal debts, angry landlords retaliating against their tenants for lawful activity (such as tenant organizing or filing complaints to public authorities), and negligent landlords forcing tenants to uphold their end of the bargain without performing their responsibilities and duties. Many of our members are not well versed in the law to know the full extent of their rights and navigate through the eviction process. Thus, oftentimes these situations require a trained legal advocate to help tenants navigate troubled and unfamiliar waters.

Lack of access to counsel often exacerbates the cultural, education, and linguistic barriers CASA members face in all arenas of life. It is harder for tenants to fight month-to-month fees and missing ledger payments if they do not speak English. Many landlords rely on their own software and manual rent payment entries – systems that are fallible – and fail to appropriately consider tenants' explanations or proofs of payment. With fewer financial resources, our members also benefit greatly from a lawyer's earlier intervention to prevent further fees and landlords' attorney costs from being piled on to a tenant's rental debt. The benefits of representation through the ACE Program extend far beyond what can be discussed here. Nevertheless, it is clear that without the ACE Program, tenants would not have access to legal representation and assistance in eviction proceedings, which unbalances our justice system, results in lower social and economic outcomes for Marylanders, and burdens state resources. We simply urge this Committee to permanently fund the ACE Program to improve the economic future of both landlords and tenants.

**CASA is also a member of the Renters United Maryland, a statewide coalition of renters, organizers, and, advocates, and urges the Committee's report of Favorable on HB103.**