
SB 154/HB 103– Access to Counsel in Evictions - Funding
Hearing before the Budget and Taxation Committee, January 15, 2025 at 10:30 AM
Position: Support

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide thought leader and clearinghouse for pro bono civil legal services in Maryland. As the designated pro bono arm of the MSBA, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar and offers direct legal services to over 6,200 clients annually.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the Tenant Volunteer Lawyer of the Day (TVLD) Program in Baltimore City Rent Court to provide day-of-court legal representation to tenants. Since then, thanks in large part to grants from Access to Counsel in Evictions (ACE), we have more than tripled our staff and expanded our Program to offer same-day representation at all but one rent court docket and all specialty dockets in Baltimore County and six weekly rent court dockets in Baltimore City. In FY24, we provided representation for over 3000 tenants. Through negotiation or litigation, we helped 95% of our clients to either avoid or delay their progress toward an eviction. **We urge a favorable report on SB 154/HB 103 to allocate \$14 million in permanent funding, ensuring the continuation of the ACE Program.**

It is a common misconception that cases covered by this legislation are simple matters where the only issue is whether a tenant has paid the rent alleged. While cases may appear simple at first, they can quickly become complicated. It is not unusual to have a legitimate dispute over a ledger or late fees, discover issues related to dangerous conditions in the home, or questions about licensing or technicalities of the lease. In over 96% of these cases, landlords are represented either by an attorney or an agent who knows the law and the court processes. Thus, it is imperative that tenants, whose very housing is at state, have counsel as well to ensure that complicated matters are sorted out in a way that is expedient and fair.

One cannot underestimate the change the ACE Program has created in Rent Court and in the lives of low-income tenants across the state. In addition to benefiting individual clients through legal representation in eviction-related cases, this Program has contributed to judicial economy by providing the means for landlords and tenants to negotiate fair and constructive settlements in the hallway prior to court so that the judge does not have to sort through complicated ledgers or extraneous facts from the bench. Having attorneys present in court to challenge inadequate pleadings has helped to ensure that landlords use the courts where necessary to regain possession of their property rather than as a debt collection tool. Through funding outreach and non-legal support, the Program has enabled thousands of low-income tenants to retain stable housing.

For example, PBRC recently represented Ms. Jones*, a young mother who was anxious to move from her rooming house and hoped to avoid a judgment that would negatively impact her ability to secure future housing. Our staff attorney noted errors in the complaint and determined that the landlord had not been licensed for the full period for which he was requesting rent. With that information, she negotiated a stipulated dismissal of the complaint in which Ms. Jones agreed to vacate the property by a mutually agreed-up deadline. Ms. Jones was then referred to PBRC’s Eviction Prevention Counselor for help finding an affordable housing option. Ms. Jones avoided a judgement and got a good start on future housing, the landlord regained possession of the property, and both parties avoided an eviction. **Without the assistance of an attorney, this negotiated settlement and additional support would not have been possible.**

PBRC and other legal services providers depend on ACE Funds to support their housing services. We urge a favorable report on SB 154/HB 103 to secure permanent funding and ensure the continuation of the ACE Program.

For the above reasons,

PBRC, a member of the Access to Justice Commission, urges a favorable report on SB 154/HB 103.

Please contact Katie Davis, Director of PBRC’s Courtroom Advocacy Project, with any questions.

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