



**Written Testimony of David Wheaton  
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**Submitted to the Ways and Means Committee of  
the Maryland House of Delegates  
In Connection with the January 28, 2025 Hearing**

My name is David Wheaton, and I am an attorney with the Legal Defense and Educational Fund, Inc. (LDF). Founded in 1940 by Thurgood Marshall, LDF is the nation's oldest civil rights law organization. LDF offers this written testimony in support of Maryland Housing Bill 59 which would help keep Marylanders in their homes by preventing the government from selling their property due to unpaid water bills.

The legislation also provides for a more equitable process for renters whose homes are going through the sales process. The legislation gives renters increased notice that a tax sale proceeding is happening where they live. This proposal will give renters 3 months' notice to move. Current Maryland law only gives a renter 30 days' notice for a renter to move when their home is going through the tax sale process.

Black homeowners [disproportionately lose](#) their homes to tax foreclosure and delinquent property tax enforcement systems unfairly burden communities of color. This legislation has the potential to help thousands of Black Maryland residents. LDF urges the swift passage of this legislation.

In 2019, the Maryland General Assembly unanimously voted to protect all households and places of worship in Baltimore City from tax sales due to unpaid water bills. House Bill 59 would expand these protections to include the entire state of Maryland.

Baltimore's experience shows the impact House Bill 59 could have for Black Marylanders. Before 2019, thousands of Baltimore residents regularly lost their homes due to unpaid water bills through the tax sales process. This practice often displaced elderly Black women on fixed incomes and led to an overall decrease in homeownership

in Baltimore. [Data from the Tax Sale Prevention Project](#) sheds some light on the demographics of Baltimore homeowners with water liens. The majority of the Project's clients identified as Black (80 percent in 2016 and 73 percent in 2017) with a household income under \$30,000 (67 percent in 2016 and 63 percent in 2017). In 2016, 78 percent of clients had delinquent water bills; the percentage rose to 86 percent in 2017. Though this data is only for Baltimore city, we know there is a clear link between racial discrimination and water affordability throughout the State of Maryland. Longstanding underinvestment in Black communities has given rise to a lack of access to water resources and outdated water infrastructure. [Data shows](#) that low-income areas and communities of color are disproportionately affected by underinvestment in water infrastructure, subsequently exposing them to increased water rates. These increased rates for water can lead to affordability issues, which in turn could lead to their residence being foreclosed through the tax sale process.

Moreover, tax sales often disproportionately impact Black communities and can drive displacement. A 2023 [investigation](#) done in Baltimore after the 2019 law was passed found that Black residents were still struggling with losing their homes in the tax sale process. The investigation found that some 41,000 properties in Baltimore have cycled through the city's tax sale process since 2016, primarily in Black communities. The investigation found that each and every one of the 1,763 homes across Baltimore was identified as having changed hands through the tax sale since 2016 was located in a majority-Black neighborhood. Furthermore, in Baltimore, properties in the city's majority-Black census tracts have tax liens that are [sold at much higher rates](#) than minority-Black census tracts. In other words, developers are paying higher prices at tax sale auctions in majority Black census tracts to gentrify those areas and forcing communities of color in Baltimore out of their homes.

Again, although these numbers are confined to Baltimore this is a problem for other Black communities as well. [Studies](#) show that Black homeowners disproportionately lose their homes in tax sale foreclosure proceedings.

HB 59 is an important step to curtailing tax sale foreclosures throughout the State of Maryland and gives added protections to homeowners and renters. The legislation ensures that water bills alone are not enough for someone to lose their home. The legislation also creates a better notice requirement for renters whose homes are going through the tax sale process. We hope that you will quickly pass this legislation.

Thank you.