



**Written Testimony of David Wheaton  
Assistant Policy Counsel  
NAACP Legal Defense and Educational Fund, Inc.**

**Submitted to the Economic Matters Committee of  
the Maryland House of Delegates  
In Connection with the February 26, 2026 Hearing**

**I. Introduction**

My name is David Wheaton, and I am an attorney with the Legal Defense Fund (LDF). LDF offers the following testimony in favor of Maryland House Bill 774, which would allow local jurisdictions to prohibit a landlord from failing to renew a lease or from terminating a lease without cause. Circumstances such as these, when a landlord terminates a lease without cause, are referred to as holdover evictions. Holdover evictions, which HB 774 would help eliminate, disproportionately affect Black Maryland residents. Good cause eviction protections like HB 774 are designed so landlords can only evict renters for specific reasons and are aimed at preventing retaliatory or discriminatory evictions. This bill would help renters, particularly Black renters, avoid no-cause evictions and decrease housing insecurity. We urge the Economic Matters Committee to give HB 774 a favorable report.

Founded in 1940 by Thurgood Marshall, LDF is the nation's oldest racial justice law organization. LDF was launched at a time when America's aspirations for equality and due process of law were stifled by widespread state-sponsored racial inequality. Some of LDF's early victories in the Supreme Court came in *Shelley v. Kramer*, 334 U.S. 1 (1948), and *McGhee v. Sipes*, 334 U.S. 1 (1948), which held that the state enforcement of racially-restrictive covenants violated the Equal Protection Clause. In the decades since those victories, LDF has continued to challenge public and private policies and practices that deny Black people safe and quality housing and free from discrimination.

## II. Due to Prior Discrimination, Black Marylanders are Disproportionately Renters—and Disproportionately Face Housing Instability and Hold Over Evictions

As a result of decades of discrimination in housing, lending, employment, and other areas, Black people are disproportionately likely to be renters, and are more likely to face evictions and other forms of housing instability.<sup>1</sup> Black households have the highest eviction removal count in Maryland—almost three times higher than the eviction rate for white households.<sup>2</sup> HB 774 would protect renters from potential retaliatory action from landlords who have received tenant complaints or repair requests, and will help avoid disproportionate harm to tenants of color, particularly Black tenants.

Today, Black people continue to struggle to find safe, stable, and affordable housing. Due to historical and ongoing discrimination, there is a large and growing racial homeownership gap. In 2021, Black families in the U.S. had a homeownership rate of 46.4% compared to 75.8% of white families.<sup>3</sup> In Maryland, racial homeownership gap is even higher: while the white homeownership rate is 77%, the Black homeownership rate is 51%.<sup>4</sup> In majority Black Baltimore, the Black homeownership gap is 30.1%.<sup>5</sup> Because they are locked out of homeownership, most Black people rent. In 2021, more than 50% of households headed by Black adults in the U.S. rent their homes according to national Census data.<sup>6</sup> Black households are also disproportionately likely to spend more than 30% of their income on rent.<sup>7</sup> In Baltimore, approximately 60% of Black renters are housing cost burdened compared to 47% of white renters.<sup>8</sup> Cost burdened status makes residents more prone to evictions and homelessness according because they spend more on rent and are less likely able to save for emergencies. They are more likely to be affected by rent increases.<sup>9</sup>

Evictions disproportionately harm Black Maryland residents. In Maryland, one in four Black children in rental households face the threat of eviction in a typical year.<sup>10</sup> Furthermore,

<sup>1</sup> Urban Institute, *The Ghosts of Housing Discrimination Reach Beyond Redlining: Subtitle Why Historical Redlining Maps Are Not Strong Predictors of Present-Day Housing Instability*, (March 15, 2023), <https://www.urban.org/features/ghosts-housing-discrimination-reach-beyond-redlining#:~:text=Because%20of%20a%20orange%20of,housing%20cost%20burden%20and%20eviction.>

<sup>2</sup> Tim Thomas, et al, *Baltimore Eviction Map*, The Eviction Study, (May 8, 2020), [https://evictionresearch.net/maryland/report/baltimore.html#:~:text=Black%20headed%20households%20had%20the,eviction%20rate%20of%205.2%25\).](https://evictionresearch.net/maryland/report/baltimore.html#:~:text=Black%20headed%20households%20had%20the,eviction%20rate%20of%205.2%25).)

<sup>4</sup> Stateline, *Black Families Fall Further Behind on Homeownership*, Maryland Matters, (October 15, 2022), <https://www.marylandmatters.org/2022/10/15/black-families-fall-further-behind-on-homeownership/#:~:text=The%20overall%20homeownership%20rate%20is,Black%20homeownership%20rate%20is%2051%25.>

<sup>5</sup> Id.

<sup>6</sup> U.S. Census Bureau, *Demographic Characteristics for Occupied Housing Units*, American Community Survey, 2019, [https://data.census.gov/table?q=Owner/Renter+\(Householder\)+Characteristics&tid=ACSS1Y2019.S2502](https://data.census.gov/table?q=Owner/Renter+(Householder)+Characteristics&tid=ACSS1Y2019.S2502)

<sup>7</sup> National Low Income Housing Coalition, *Gap Report*, (March 16, 2023), <https://nlihc.org/gap>

<sup>8</sup> Public Justice Center, *The Economic Impact of an Eviction Right to Counsel in Baltimore City*, (May 8, 2020), <https://cdn2.hubspot.net/hubfs/4408380/PDF/Eviction-Reports-Articles-Cities-States/baltimore-rtc-report-final-5-8-2020.pdf>

<sup>9</sup> Sandhya Kajeepeta, PhD, Lauren O'Neil and Kenya Cummings, *Forced Moves: How Rent Increases are Driving Informal Evictions Across the Country*, Legal Defense Fund, (January 29, 2025), <https://www.naacpldf.org/forced-moves-how-rent-increases-are-driving-informal-evictions-across-the-country/#:~:text=By%20Sandhya%20Kajeepeta%2C%20PhD%2C%20Lauren,Cornelius%20is%20not%20alone.>

<sup>10</sup> Maryland Eviction Prevention Funds Alliance, *Assessment of Maryland's Need for Eviction Prevention Funds (EPF) and the Estimated Fiscal Impact of EPF*, (December 19, 2023), <https://www.mdeconomy.org/wp->

zip codes in Maryland with a higher percentage of Black renters face a higher rate of total evictions. These patterns mirror similar trends nationwide: According to an analysis by the ACLU, Black renters nationwide had evictions filed against them at nearly twice the rate of their white peers.<sup>11</sup> Moreover, research indicated that race bore a stronger relationship to eviction than poverty, property value, or a range of other factors.<sup>12</sup> These burdens fall even harder on Black women, for whom one in five will face an eviction in their lifetime.<sup>13</sup>

Black Maryland renters are also disproportionately affected by holdover evictions. Maryland is a "no cause" state, which means a landlord can decide to not to renew a lease for any reason, including retaliation for raising concerns about the conditions of their residence or simply because the lease agreement has expired. These evictions are often referred to as "holdover" evictions. Holdover evictions can often be motivated by illegal discrimination based on race or retaliation. Low-income Black renters frequently live in neighborhoods of concentrated poverty.<sup>14</sup> In these areas, landlords who fear that their property is depreciating in value will use various tactics to secure a higher annual rate of return to offset a potential loss when they sell their property later.<sup>15</sup> Another tactic is cutting back on maintenance, which can lead to tenants living in unbearable conditions<sup>16</sup> Recently, a landlord in Maryland retaliated against multiple tenants by trying to evict them after they complained about the dangerous conditions.<sup>17</sup> It is often difficult for renters to prove a holdover eviction is discriminatory, so many tenants leave their homes before a holdover eviction is filed to avoid permanently damaging their record, even if the potential eviction may be discriminatory or retaliatory.<sup>18</sup>

According to new research from LDF's Thurgood Marshall Institute (TMI), ZIP codes with a higher percentage of Black renters face a higher rate of holdover evictions.<sup>19</sup> A 10-percentage-point increase in the percent of Black renters in a ZIP code is associated with a 12% increase in the rate of holdover eviction warrants and a 15% increase in the rate of executed holdover evictions.<sup>20</sup> Furthermore, TMI's research showed a 10-percentage point increase in the

[content/uploads/2023/12/Assessment-of-Marylands-Need-for-EPF-and-Directional-Fiscal-Impacts-of-EPF\\_FINAL\\_2023.12.10-1.pdf](#)

<sup>11</sup> Sophie Beiers, Sandra Park & Linda Morris, *Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color*, AM. C.L. UNION (Jan. 10, 2020), <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color>.

<sup>12</sup> Benjamin F. Teresa, *The Geography of Eviction in Richmond: Beyond Poverty*, RVA EVICTION LAB (2018), <https://cura.vcu.edu/media/cura/pdfs/cura-documents/GeographiesofEviction.pdf>

<sup>13</sup> Robert Collinson & Davin Reed, *The Effects of Evictions on Low-Income Household*, NYU L. (2018), [https://www.law.nyu.edu/sites/default/files/upload\\_documents/evictions\\_collinson\\_reed.pdf](https://www.law.nyu.edu/sites/default/files/upload_documents/evictions_collinson_reed.pdf)

<sup>14</sup> INSTITUTE OF METROPOLITAN OPPORTUNITY, EXECUTIVE SUMMARY: AMERICAN NEIGHBORHOOD CHANGE IN THE 21ST CENTURY (Apr. 2019), [https://www.law.umn.edu/sites/law.umn.edu/files/metro-files/american\\_neighborhood\\_change\\_in\\_the\\_21st\\_century\\_-\\_executive\\_summary\\_-\\_4-2-2019.pdf](https://www.law.umn.edu/sites/law.umn.edu/files/metro-files/american_neighborhood_change_in_the_21st_century_-_executive_summary_-_4-2-2019.pdf) (explaining that low-income residents are much more likely to live in areas that are economically declining rather than areas that are economically expanding).

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> Rob Flaks, *Maryland Legal Aid files Lawsuit Against Somerset County Landlord Found to be Operating Without a License*, WMDT News, (June 14, 2023), <https://www.wmdt.com/2023/06/maryland-legal-aid-files-lawsuit-against-somerset-county-landlord-found-to-be-operating-without-a-license/>

<sup>18</sup> Connecticut Fair Housing Center, *Lets Talk About Expanding Just Cause Protections*, (December 7, 2023), <https://ctfairhousing.org/the-case-for-expanding-just-cause-eviction-protections/#>

<sup>19</sup> Sandhya Kajeepeta, *Maryland Eviction Analysis*, Legal Defense Fund - Thurgood Marshall Institute, (2024), on file with authors.

<sup>20</sup> *Id.*

percent of Black renters in a ZIP code was associated with a 30% increase in the rate of total eviction warrants and a 21% increase in the rate of total evictions.<sup>21</sup>

Evictions cause significant harm. Evictions increase homelessness and housing instability, and these effects can last 12 to 24 months or longer after an eviction case is filed.<sup>22</sup> The data suggest that tenants' physical and mental health also decline after eviction filings. Evictions similarly harms the physical and mental health of children, including increasing childhood hunger.<sup>23</sup> Furthermore, research has shown that an eviction can affect a child's health both through its acute short-term effects and cascading consequences that span multiple stages and settings of child development.<sup>24</sup>

### **III. Evictions in Maryland Are Increasing, Including Holdover Evictions, Which Increases Housing Instability.**

As local, state, and national eviction moratoria have ended and pandemic aid helping renters has faded, eviction filings have risen over 50% above pre-pandemic levels in some jurisdictions.<sup>25</sup> There were a total of 23,567 evictions combined in 2020, 2021, and 2022, an average of about 8,000 per year.<sup>26</sup> In the most recent full year with data (December 2024 through November 2025), Maryland landlords filed more than 19,777 eviction warrants. As discussed above, evictions in Maryland disproportionately effect Black Maryland renters.<sup>27</sup> Furthermore, holdover evictions are increasing in Maryland. From December 2024 through November 2025, landlords filed more than 1,800 holdover eviction warrants.<sup>28</sup> Since August 2020 through September 2023, holdover eviction filings have exceeded the pre-pandemic monthly average for 37 straight months, reflecting a 117% increase.<sup>29</sup>

### **IV. HB 774 Will Increase Tenant Protections and Reduce the Rate of Holdover Evictions in the State.**

Good cause eviction protections protect renters from being evicted for no fault of their own and deliver a sense of stability to tenants.<sup>30</sup> HB 774 would allow local jurisdictions to

<sup>21</sup> Id.

<sup>22</sup> James T. Spartz, *Eviction Prevention: Reducing Harm To Households And Society*, University of Wisconsin-Madison Institute for Research on Poverty, (February 2023), <https://www.irp.wisc.edu/resource/eviction-prevention-reducing-harm-to-households-and-society/#:~:text=Eviction%20causes%20significant%20increases%20in,an%20eviction%20case%20is%20filed.>

<sup>23</sup> Id.

<sup>24</sup> Id.

<sup>25</sup> Michael Casey & R.J. Rico, *Eviction filings soar over 50% above pre-pandemic levels in some cities as rents increase*, PBS, June 17, 2023, <https://www.pbs.org/newshour/nation/eviction-filings-soar-over-50-above-pre-pandemic-levels-in-some-cities-as-rents-increase>

<sup>26</sup> Dwight A. Weingarten, *Evictions, Rising after Rent Assistance Ran Out, Back Near pre-pandemic Levels in Maryland*, Salisbury Daily Times, (December 6, 2023), <https://www.delmarvanow.com/story/news/local/maryland/2023/12/06/marylands-rising-eviction-rate-renews-call-for-tenants-rights/71814753007/>

<sup>29</sup> Jheanelle Wilkins, *'Just cause' Eviction Standard Protects Families, Encourages Fairness*, Baltimore Banner, (January 23, 2024), <https://www.thebaltimorebanner.com/opinion/community-voices/rental-housing-evictions-maryland-legislation-WMWG67BGQVHFLMDLX2WU353F2E/>

<sup>30</sup> Lindsey Duvall and David Foster, *Advancing Tenant Protections: Just Cause Eviction Laws*, National Low income Housing Coalition (NLIHC), (February 7, 2023), [https://nlihc.org/resource/14-1-advancing-tenant-protections-just-cause-eviction-laws#:~:text=The%20end%20of%20a%20lease,laws%20benefit%20these%20tenants%20by%3A&text=Protecting%](https://nlihc.org/resource/14-1-advancing-tenant-protections-just-cause-eviction-laws#:~:text=The%20end%20of%20a%20lease,laws%20benefit%20these%20tenants%20by%3A&text=Protecting%20)

protect tenants from a constant threat of displacement and strengthen tenants' ability to complain about unsafe conditions without the threat of possible eviction. Ultimately, good cause eviction protections can help reduce the number of evictions in Maryland. One study found local good cause eviction protection ordinances in four California cities lowered eviction rates in those cities.<sup>31</sup> Moreover, a recent Princeton University study found jurisdictions that implemented good cause eviction laws experienced a lower eviction rate and lower eviction filing rates than those that did not.<sup>32</sup>

Creating strong tenant protections is more important now than ever. Maryland is in the middle of a housing affordability crisis.<sup>33</sup> There are 207,554 extremely low-income households in Maryland, but only 61,469 affordable and available rental units.<sup>34</sup> A minimum wage worker in Maryland would have to work 94 hours a week at minimum to afford a two-bedroom apartment.<sup>35</sup> Adding more stress to Maryland renters is the fact that rent prices in Maryland are higher than the national average.<sup>36</sup> With the shortage of affordable housing and increased cost for rental housing, it is important to ensure that low-income renters and renters of color are protected from unwarranted evictions. HB 774 can significantly decrease the number of holdover evictions by allowing local jurisdictions the ability to policies to stop landlords from evicting tenants without cause.

New Jersey, California, New York, New Hampshire, Oregon, and Washington have all passed their own versions of statewide good cause eviction laws.<sup>37</sup> These protections have helped renters in these states remain in their homes and prevent landlords from evicting a tenant for an unwarranted reason. There also limited federal protections: the U.S. Department of Housing and Urban Development (HUD) requires all federally subsidized rental properties to provide cause when they nonrenewing a lease.<sup>38</sup> Similarly, the U.S. Department of Treasury

---

[2orenters%20from%20evictions%20for%20ono%20fault%20of%20their%20own.&text=Delivering%20a%20sense%20of%20stability%20to%20tenants](#).

<sup>31</sup> Julieta Cuellar, *Effect of "Just Cause" Eviction Ordinances on Eviction in Four California Cities*, Princeton University Journal of Public & International Affairs, May 21, 2019, <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

<sup>32</sup> Julieta Cuellar, *Effect of "Just Cause" Eviction Ordinances on Eviction in Four California Cities*, Princeton University Journal of Public & International Affairs, May 21, 2019, <https://jpia.princeton.edu/news/effect-just-cause-eviction-ordinances-eviction-four-california-cities>

<sup>33</sup> Dwight A. Weingarten, *Maryland Housing Secretary Day Estimates 96,000-unit Housing Shortage. Bills Aim to Help*, The Herald Mail, (December 21, 2023), <https://www.heraldmillmedia.com/story/news/state/2023/12/21/administrations-bills-aims-to-address-marylands-housing-crisis/71896971007/>

<sup>34</sup> National Low Income Housing Coalition, *Gap Report: Maryland*, (March 16, 2023), <https://nlihc.org/gap/state/md>

<sup>35</sup> National Low Income Housing Coalition, *Out of Reach: Maryland*, (2023), <https://nlihc.org/oor/state/md>

<sup>36</sup> Jack Fiechtner, *Rent Prices in Maryland are Higher than the National Average*, ABC News, (April 14, 2023), <https://www.wmdt.com/2023/04/rent-prices-in-maryland-are-higher-than-the-national-average/>

<sup>37</sup> Lindsey Duvall and David Foster, *Advancing Tenant Protections: Just Cause Eviction Laws*, National Low income Housing Coalition (NLIHC), (February 7, 2023), <https://nlihc.org/resource/14-1-advancing-tenant-protections-just-cause-eviction>

[laws#:~:text=The%20end%20of%20a%20lease,laws%20benefit%20these%20tenants%20by%3A&text=Protecting%20renters%20from%20evictions%20for%20ono%20fault%20of%20their%20own.&text=Delivering%20a%20sense%20of%20stability%20to%20tenants](#)

<sup>38</sup> The U.S. Department of Housing and Urban Development (HUD, Fact Sheet: Renewing Your Lease, (2022), [https://www.hud.gov/sites/documents/RFS8\\_RENEWAL\\_OF\\_LEASE.PDF](https://www.hud.gov/sites/documents/RFS8_RENEWAL_OF_LEASE.PDF)

which administers the Low-Income Housing Tax Credit (LIHTC) Program, requires good cause to evict a person from a LIHTC unit.<sup>39</sup>

Baltimore City and Montgomery County have both enacted good cause eviction protections after seeing an increase in landlords filing holdover evictions during the pandemic, but these protections cannot be fully enforced until the state of Maryland passes HB 774. In majority-Black Baltimore, in August and September 2020 alone, there were 233 tenant holdover cases, an 82% increase in activity from the same two-month period a year before.<sup>40</sup> HB 774 would allow these jurisdictions to fully enforce their local ordinances and keep more residents from experiencing housing instability.

## V. Conclusion

Black Maryland renters are disproportionately harmed by holdover evictions, which increase housing instability for Black families. HB 774 would allow local jurisdictions to protect their residents from unwarranted holdover evictions by requiring landlords to give a specific reason for not extending or renewing the lease. This added layer of protection helps decrease housing instability for Black renters and is an important step toward ensuring a more equitable relationship between landlords and tenants.<sup>41</sup> For the reasons stated above, LDF strongly encourages the passage of HB 774 and urges that Maryland do more to stop unwarranted holdover evictions against Maryland renters.

Thank you for the opportunity to testify. If you have any questions, please contact David Wheaton, Assistant Policy Counsel, at [dwheaton@naacpldf.org](mailto:dwheaton@naacpldf.org).

---

<sup>39</sup> 26 U.S.C. §42(h)(6)(E)(ii)(I)

<sup>40</sup> Hallie Miller, *During Maryland Rent Moratorium, More Landlords Using Legal ‘Loophole’ as Means to Evict*, Baltimore Sun, (December 30, 2020), <https://www.baltimoresun.com/2020/12/30/during-maryland-rent-moratorium-more-landlords-using-legal-loophole-as-means-to-evict/>

<sup>41</sup> Lindsey Duvall and David Foster, *Advancing Tenant Protections: Just Cause Eviction Laws*, National Low income Housing Coalition (NLIHC), (February 7, 2023)