



HOUSING JUSTICE 2022



Speakers

The Mullins-Bouie Family, Renters in Montgomery County

Delegate Jheanelle Wilkins

Cristina Carranza, Renter in Prince George's County

Lisa Sarro, General Counsel, Arundel Community Development Services

Senator Shelly Hettleman

Zafar Shah, Attorney, Public Justice Center



62% of Maryland Renters feel they are likely to be evicted in the next 2 months

These renters are the backbone of our neighborhoods, our schools, and our economy.

- Predominantly Black (29%) and Latinx (56%)
- Households with children (57%)
- Household incomes under \$50,000/yr. (97%)
- Experienced loss of employment income in the last 7 days (84%)
- Used CTC payments (14%), savings (27%), credit cards (40%), and borrowing from family/friends (88%) to meet spending needs in the last 7 days

Source: Jan. 2022, US Census Household Pulse Survey Week 41 Housing Table 3b



DISPLACEMENT AMID PANDEMIC

Maryland Judiciary data July-Dec 2021

Avg. **5,518** warrants (eviction orders) per month

Avg. **705** actual evictions per month

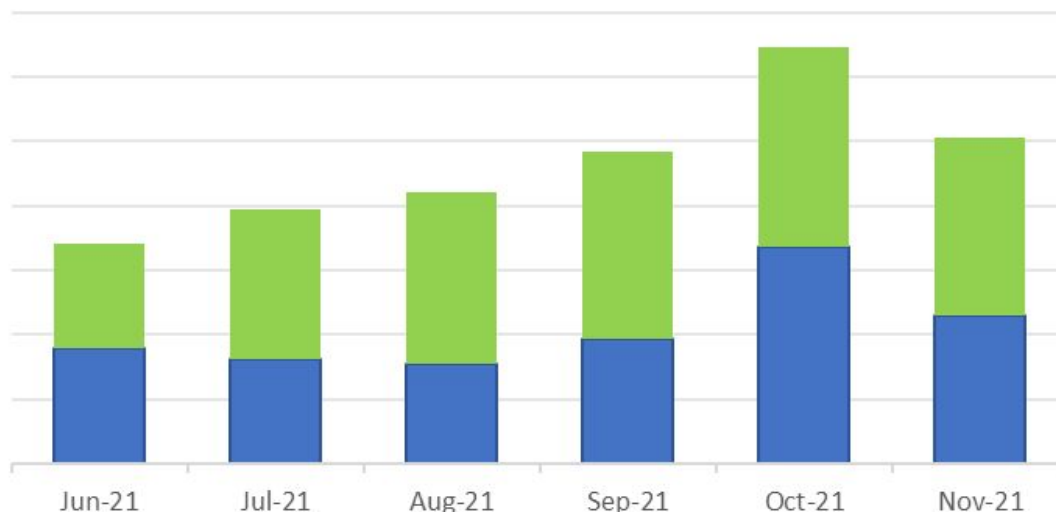
In 2021, “Failure to Pay Rent” eviction filings were down approximately **50%** compared to 2019, and “Tenant Holding Over” eviction filings (resulting from lease non-renewals) were up approximately **100%**.



RENTAL ASSISTANCE

- Local emergency rental assistance programs scaled up in 2021
- Served a monthly average **5,116** households June-Nov.

Rent Relief Payments Keeping Pace with Eviction Orders
(MD Judiciary/MD DHCD data)



	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21
ERAP Households Served	3,259	4,641	5,310	5,761	6,191	5,534
Est. FTPR Warrants*	3,567	3,269	3,125	3,895	6,741	4,582

ERAP worked hard to keep pace with eviction orders, which averaged **4,197** per month (estimate for non-payment of rent cases alone)

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RUM has a 3-pronged agenda for MGA22.

These priorities will be accomplished in 5 bills.

Use rental assistance to hit pause on eviction process
(HB 674/SB 384)

Fund the Access to Counsel program (HB 724/SB 662)

Implement day-of-trial access to counsel and eviction prevention services
(HB 691/SB 564)

Effective tools for eviction prevention at court

Enable local protections against lease non-renewal

Bill number TBA

Block unlicensed landlords from fast-track court procedures

(HB 703/SB 563)



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Enable local protections against lease non-renewal

Sponsor: Delegate Jheanelle Wilkins

- Responding to increasing desire across Maryland for limiting the impact of arbitrary lease non-renewal
- Examples of local interest: Montgomery County, Baltimore City, Prince George's County, Howard County
- Real Property Article Sec. 8-402 may preempt counties from taking local steps
- This bill authorizes counties to pass “just cause” policy

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Use Emergency Rental Assistance to hit PAUSE on evictions

Sponsors: Delegate Vaughn Stewart (HB 674) and Senator Shelly Hettleman (SB 384)

- District Court judges need clear authority to stay eviction proceedings when landlords object
- Over 70% of surveyed Maryland pro bono attorneys said they had cases in which the renter faced eviction while waiting for emergency rental assistance
- This legislation requires court to stay eviction proceedings when judge is satisfied that a good faith rental assistance application will cover the alleged unpaid rent



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Fund the Access to Counsel in Evictions program

Delegate Ben Barnes (HB 724), Senator Craig Zuker (SB 662)

- Maryland made history in 2021 (HB 18), establishing the Access to Counsel in Evictions program and mandating that *eligible tenants shall have access to counsel*
- But MGA21 did not establish funding for Access to Counsel
- Gov. Hogan announced just \$5.4M for legal representation for renters, well below the estimated \$12M for FY23 implementation.
- Legislation will provide full funding to the program.

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Implement day-of-trial access to counsel and eviction prevention services

Sponsors: Delegate Melissa Wells (HB 691) and Senator Susan Lee (SB 564)

- Legal services, mediation, and rental assistance programs are increasingly working to meet renters where they need help the most: at court on day of trial
- There is broad inconsistency among courts in providing renters sufficient time to seek legal representation or meet with supportive services during eviction dockets.
- In a survey of Maryland pro bono attorneys, only 30% could rely on courts to recess a case to allow the tenant to speak with an on-site attorney. Even fewer could rely on courts to postpone a case to allow tenants to seek attorney representation.
- This bill requires courts to allow a reasonable time during dockets to allow tenants to engage on-site services. The bill also requires courts to grant at least a 5-day postponement when either party seeks legal representation.

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Block unlicensed landlords from using the courts' special eviction procedures

Sponsors: Delegate Mary Lehman (HB 703) and Senator Shelly Hettleman (SB 563)

- Most jurisdictions require landlords to have a rental license to legally operate.
- If unlicensed landlords can use the courts' fast-track eviction procedures to pressure tenants to pay or to leave, they have little incentive to comply with local ordinances.
- Legislation has been needed to ensure that landlords meet the burden of proof of showing a valid rental license in Failure to Pay Rent eviction cases.
- After *Velicky v. Copy Cat Building* in Nov. 2021, legislation is also needed to keep unlicensed landlords from using Tenant Holding Over eviction cases.
- This bill requires landlords in any of the 3 residential eviction procedures (Failure to Pay Rent, Tenant Holding Over, Breach of Lease) to meet a burden of showing a valid rental license at trial.



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Press Kit available at:

<https://rentersunitedmaryland.org/housing-justice-22/>

Download one-pagers for each of the 5 bills covered today.

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