

Maryland Jewish Advocacy DAY 2022



Funding Tenant Right to Counsel

The pandemic has made the necessity of safe and reliable housing ever more apparent. Unfortunately for the many in our state who are facing housing insecurity, this is not the case. Over the past year the cost of many goods and services have surged. Housing is no exception as the cost of rent is expected to increase by as much as ten percent this year. With the recent lifting of a nationwide moratorium on evictions, the approximately 147,000 Maryland households who are behind on rent are at serious risk of being without a place to call home.

Last year the General Assembly passed a measure to guarantee all low-income tenants in Maryland the right to legal counsel during eviction proceedings. However, during the final hours of the legislative session, a bill to establish a funding source for this new policy failed.

Senate Bill 279 (SB279) – Access to Counsel in Evictions Special Fund – Alteration (Senator Shelly Hettleman) Judicial Proceedings Committee

This bill would establish a funding mechanism for the right to legal counsel for low-income tenants in rent court who are facing eviction. Additionally, it funds several resources for tenants to help them know their rights throughout the eviction process. Funding would be derived from fees paid by violators of the Maryland Consumer Protection Act for an unfair, abusive, or deceptive trade practices relating to residential rental properties.

Senate Bill 521 (SB521/HB712) Landlord and Tenant - Access to Counsel in Evictions Special Fund - Mandatory Appropriation (Senator Shelly Hettleman and Delegate Sandy Rosenberg) Judicial Proceedings Committee and Judiciary Committee

This bill would mandate that each year the Governor appropriate any remaining federal rental assistance money that has been allocated to the state, to fund tenant access to counsel.



Why are these bills good for Maryland and the Jewish community?

Just 1% of tenants appear in rent court with representation, compared to 98% of landlords who have representation. This undoubtedly leaves tenants lost in the proceedings of rent court and makes it significantly more likely they will conclude with a negative disposition. This bill will allow the tenants right to counsel program to become fully operational and will keep more tenants in their homes. State and localities will save millions of dollars each year in services for would-be homeless persons, while decreasing the burden on law enforcement and the courts. Right to counsel already exists in Baltimore City, and is being implemented elsewhere including Connecticut, New York City, and Cleveland.

The number of low-income individuals and families seeking emergency financial assistance from The Associated system has continued to increase since the pandemic started, and we know this trend is not unique to just the Baltimore region. We are fortunate to have service providers such as CHAI to serve the community. This bill will provide housing service agencies with another important tool to assist clients.

What can be done?

Tell your legislators to support funding for tenant right to counsel. Share why it is important for those facing eviction to access to counsel.