

Baltimore May Join Cities Supporting Low-Income Tenants in Eviction Cases

BY JARED BREY | JULY 21, 2017



This week, on the heels of a [Baltimore Sun series](#) in the spring that detailed an eviction crisis for low-income renters, Baltimore City Councilman Robert Stokes introduced a bill that would establish a public fund to provide legal aid to tenants facing eviction.

The fund, which would need to be approved by voters as well as city council, is intended to give tenants a better chance of prevailing in eviction proceedings, Stokes says. As detailed in a [2016 Next City report](#), Baltimoreans often appear in rent court without a lawyer, which gives landlords a distinct advantage. While Stokes' proposal wouldn't necessarily create a [right to counsel for all low-income tenants](#) — a policy [being pioneered](#) in New York City, after that council approved the legislation this week — it would give more people a leg up in court and potentially prevent more evictions from occurring.

Last year, [according to the Sun](#), Baltimore spent twice as much money on the sheriff's office to oversee evictions as it did on services to prevent them. Around 6,500 evictions took place out of nearly 70,000 notices filed.

“We’ve got to avoid [eviction] on the front end so we don’t have problems on the back end where people become homeless,” Stokes says.

Gregory Countess, the director of advocacy for housing and community economic development at Maryland Legal Aid, says many tenants facing eviction simply don’t know what their options are. Under Maryland law, for example, Countess says, the landlord has the burden to prove that there is a landlord-tenant relationship in the first place and that a certain amount of rent is due. Tenants without lawyers aren’t often prepared to force landlords to provide evidence of those things.

“What a lawyer is able to do that many laypeople are not able to do is to know what law is applicable,” says Countess. “They can discern what the facts are. They know how to shape and present evidence to the court, and object to what they think is any attempt to put evidence that’s not proper, or information that’s not proper, before the court.”

The legislation proposed in Baltimore — Countess stresses that he couldn’t talk specifically about the proposal because of restrictions on nonprofit advocacy — would create a fund for legal aid, but doesn’t specify where the money to fill it would come from. Robert Strupp, executive director of Baltimore Neighborhoods, Inc., says the city may need to move faster, and allocate money for legal aid in the next year’s budget.

“I think we’re in a crisis and a crisis usually requires some kind of emergency solution,” Strupp says.

The crisis, brought to life by Matthew Desmond in his Pulitzer Prize-winning book “Evicted: Poverty and Profit in the American City,” is one that **more cities around the U.S. are starting to confront**.

So far, New York has taken the boldest approach, with a right-to-counsel law to support universal access to lawyers for tenants in housing court who earn up to 200 percent of the poverty line, a program that **advocates hope will be a model for other cities**. The program is expected to cost \$155 million to implement, but officials project that by reducing evictions, it will save twice that amount in costs related to homelessness, according to a press release from the New York City Council. Officials in Washington, D.C., have launched **a \$4.5 million pilot program** to provide free legal aid to low-income tenants as well. Philadelphia **established a \$500,000** fund this summer. The small city of Santa Rosa in Northern California, also recently **allocated \$20,000 to a local legal aid society** amid fears that a new rent-control law was creating a spike in evictions.

Stokes, the Baltimore City Councilman who introduced the proposal, says he often hears from constituents facing eviction at the last possible minute, when it’s hard to help them. Stokes says that all of his colleagues on council have lined up behind the proposal. And even before the question goes to voters, he says he hopes to talk to the mayor about reallocating some of the money that’s currently spent on processing evictions.

“We’re just trying to make it an even playing field,” he says.

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