

Councilman proposes legal aid for tenants in Baltimore facing evictions

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A yearlong investigation by The Baltimore Sun found that the rent court system routinely works against tenants, while in many cases failing to hold landlords accountable for not meeting minimum housing standards.

By **Doug Donovan**

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A *Baltimore city councilman introduced legislation Monday aimed at establishing a fund that would help low-income tenants facing eviction and other housing problems to hire attorneys, an effort that cities across the nation are exploring or have implemented.*

If Councilman Robert Stokes' bill is approved, the city would ask voters to amend the city charter in next year's election to establish a Tenant Legal Assistance Fund and authorize the mayor and council to dedicate money to it.

The fund would help pay for lawyers to represent tenants in Baltimore's rent court, where most renters arrive without attorneys to face landlords who almost always have some form of

representation. It would also “provide legal assistance to low-income renters facing eviction,” assist renters in disputes with landlords and try to make renters more aware of their legal rights.

The bill calls for financing the fund with dedicated city revenue — fines and fees — plus grants from private foundations and charities.

A Baltimore Sun investigation this year showed that the city *spends twice as much on processing evictions than it does on working to prevent them*, as the city experiences one of the highest rates of evictions in the nation.

Baltimore spent \$2.7 million in fiscal year 2016 for sheriff's deputies to oversee nearly 70,000 eviction orders, while allocating \$1.3 million for services to prevent evictions or homelessness.

The city reported preventing 68 evictions in fiscal year 2016 with the \$130,000 it gave Maryland Legal Aid. It provided \$35,000 to the Public Justice Center, which reported preventing 40 evictions.

There is support in City Hall for increasing funding for tenant lawyers.

Council President Bernard C. “Jack” Young said this month he backs the approach.

Mayor *Catherine Pugh* has said she is exploring expanding eviction prevention programs and access to attorneys for tenants.

A Pugh spokesman said Monday that the mayor does not comment on proposed legislation.

“I’m sure one of the most important questions about this bill is where does the funds come from?” spokesman Anthony McCarthy wrote in an email. “Fiscal responsibility has to be part of these discussions.”

The Sun has detailed New York City's \$77 million program to provide lawyers to tenants facing eviction and a pending \$4.5 million funding increase for the same purpose in Washington.

In San Francisco, the approach has been shown to reduce the amount of public funds needed to operate shelters for the homeless. Lawmakers in Boston and Massachusetts are considering such a program.

Last year, when Pugh was a state senator, she co-sponsored a bill with Del. Sandy Rosenberg that would have established a “tenant legal assistance special fund” financed by a \$30 fee charged to landlords when they file for an eviction.

Landlord groups opposed such a fee. Pugh and Rosenberg asked the Maryland Judiciary to establish a task force to study solutions. The group, which included landlords, supported public funding for more tenant lawyers, a concept known as the “civil right to counsel.”

Kathy Howard, a lobbyist for the Maryland Multi-Housing Association, which represents landlords, said the group is aware of Stokes’ legislation and its representatives will meet with him soon to discuss it.

*Several council members — John Bullock, Mary Pat Clarke, Eric Costello, **Bill Henry** and Shannon Sneed — told The Sun they support the measure.*

“Oftentimes, tenants do not have the benefit of legal assistance,” Bullock said. “If there are ways that we can help folks to be on a more level playing field, that’s what we should be looking at. It’s a serious issue within our city.”

Henry said the council discussed Stokes’ bill at its luncheon on Monday.

Ironically, he said, a group of students from two Jesuit high schools, Loyola Blakefield and Cristo Rey Jesuit High School, delivered a report on their two-week analysis of social issues in the city. One of their biggest concerns was the disparities they witnessed in Baltimore’s rent court.

Clarke said the city needs to dedicate more money to the issue.

“We need to do better,” she said.

Robert Strupp, executive director of Baltimore Neighborhoods Inc., said he worries that Stokes’ bill would take too long to provide urgently needed relief to tenants facing an affordable housing crisis.

If the bill passes and voters approve the charter amendment in the Nov. 6, 2018, election, city officials may not be able to budget money until the end of that fiscal year on June 30, 2019.

“The only way to see relief this way is in the fiscal year 2020 budget,” Strupp said. “That doesn’t mean don’t do it. This may be one solution.”

Rosenberg, a Baltimore Democrat, said the measure is an excellent way to begin the discussion. He asked the Maryland Department of Legislative Services this month to research the programs in other cities and states that were featured in The Sun.

“A bill hearing puts ideas on the table and that’s essential,” he said.

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