

CITY OF BALTIMORE
COUNCIL BILL 22-0116R
(First Reader)

Introduced by: Councilmembers Ramos, Dorsey, Porter, Cohen, Torrence

Introduced and read first time: June 27, 2022

Assigned to: Ways and Means Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Housing and Community Development, Office of the Sheriff

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Reduction to the Ordinance of Estimates for the Fiscal Year Ending June 30, 2023 —**
3 **Baltimore City Sheriff's Office**

4 FOR the purpose of requesting that the Baltimore City Sheriff's Office take certain necessary
5 actions to improve the eviction process in Baltimore City; memorializing the mutual
6 agreement between the Mayor and the City Council to provide \$500,000 in supplemental
7 appropriations to the Department of Housing and Community Development to implement
8 Ordinance 20-465, Right to Counsel in Eviction Cases; and generally relating to a reduction
9 to the Ordinance of Estimates for the Fiscal Year ending June 30, 2023 from the Baltimore
10 City Sheriff's Office Service 882 and Service 884.

11 The Baltimore City Council reduced both Service 882 and Service 884 under the Baltimore
12 City Sheriff's Office by \$250,000, respectively, in Council Bill 22-0235, the Ordinance of
13 Estimates for the Fiscal Year Ending June 30, 2023, enacted June 23, 2022. The Mayor has
14 agreed to introduce a supplemental appropriation in the same amount to the Department of
15 Housing and Community Development to implement Ordinance 20-465, enacted
16 November 16, 2020, effective as of March 16, 2021, Right to Counsel in Eviction Cases.

17 As discussed during budget hearings for the Sheriff's Office, members of the Baltimore City
18 Council have concerns about the practices of the Baltimore City Sheriff's Office regarding
19 evictions.

20 1. Where notice is to be posted at multi-unit dwellings, the Sheriff's Office maintains a
21 regular practice of posting failure-to-pay-rent notices, eviction notices, and other
22 correspondence on a common entrance door rather than on an individual unit door as
23 required by Maryland law. Renters are missing court dates because of this irresponsible
24 posting. While the Sheriff stated, during budget hearings, that this is the practice in the
25 law, in 2001, the Attorney General wrote an opinion that clearly stated that all postings
26 should be on the unit. Attorney General opinions add clarity to laws that have been
27 passed, they are not suggestions.

28 The Baltimore City Council requests that the Sheriff's Office create a system whereby
29 landlords provide access to buildings to post notices directly on the unit of the renter, and
30 that the Sheriff's Office immediately commence proper posting.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 22-0116R

1 2. The Sheriff’s Office shared during budget hearings that if they know a landlord is not
2 properly licensed they will bring the case back to the courts. Landlords who are not
3 properly licensed should not be evicting anyone.

4 The Baltimore City Council requests that the Sheriff identify if a landlord is not
5 licensed before posting failure to pay rent notices and if not licensed bring the landlord
6 back to the court.

7 3. The Sheriff’s Office will not share an eviction date with a renter who calls their
8 Office. The explanation provided during budget hearings is that the Sheriff’s Office does
9 not know who is on the phone and does not want to give information to just anyone.
10 However, the Sheriff’s Office does give the dates to organizations who serve renters.
11 Many renters do not have representation and do not know who to call.

12 The Baltimore City Council requests that the Sheriff’s Office begin immediately
13 sharing the information on eviction dates with the renters who call.
14

15 Being evicted is a traumatic experience. Sheriff deputies are doing what they are asked to do,
16 and are caught in a system that is unfair to renters. By taking those actions requested above the
17 Sheriff’s Office will help renters better understand and prepare for eviction proceedings.

18 Ordinance 20-465 established Right to Counsel in Eviction Cases, ensuring that all renters
19 are offered representation in rent court. The Department of Housing and Community
20 Development oversees the Right to Counsel program. This program is not yet fully funded, but,
21 will become a valuable tool to ensure that renters have the same opportunity for justice as
22 landlords in rent court.

23 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the
24 Baltimore City Council requests that the Sheriff’s Office implement the requests in the recitals of
25 this Resolution by June 30, 2023.

26 **AND BE IT FURTHER RESOLVED,** That the Mayor has agreed to introduce a supplemental
27 appropriation of \$500,000 to be allocated to the Department of Housing and Community
28 Development to implement Ordinance 20-465, enacted November 16, 2020, effective as of
29 March 16, 2021, Right to Counsel in Eviction Cases, and any other eviction prevention programs
30 the Mayor sees fit.

31 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
32 Baltimore City Sheriff, the Commissioner of the Department of Housing and Community
33 Development, and to the Mayor’s legislative liaison to the City Council.