

Sheriff's Office

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

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

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

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

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

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

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

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

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

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

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

Now, therefore, be it resolved by the City Council of Baltimore, That the Baltimore City Council requests that the Sheriff's Office implement the requests in the recitals of this Resolution by June 30, 2023.

And be it further resolved, That the Mayor has agreed to introduce a supplemental appropriation of \$500,000 to be allocated to the Department of Housing and Community Development to implement Ordinance 20-465, enacted November 16, 2020, effective as of March 16, 2021, Right to Counsel in Eviction Cases, and any other eviction prevention programs the Mayor sees fit.

And be it further resolved, That a copy of this Resolution be sent to the Mayor, the Baltimore City Sheriff, the Commissioner of the Department of Housing and Community Development, and to the Mayor's legislative liaison to the City Council.