



MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Alice Kennedy, Acting Housing Commissioner



Date: January 18, 2022

Re: City Council Resolution 21-0083R - Investigative Hearing - Baltimore City Sheriff's Office - Eviction Procedures

Council Resolution 21-0083R calls on the Baltimore City Sheriff's Office, the Department of Housing and Community Development as well as other interested parties, to discuss the current procedures, recurring problems and efforts to improve eviction procedures in general for individuals facing eviction.

DHCD does not have the authority to mediate between landlords and tenants during eviction proceedings and would defer to the Sheriff's Office as the agency directly impacted by this Resolution. A lease is a contractual obligation between a property owner and a tenant and both have an obligation to one another, outside enforcing registration and licensing requirements and the City's housing, zoning, building and related codes, we are limited as to how we can intervene when eviction proceedings arise. However, we are committed to helping landlords and renters understand their responsibilities under the various codes and providing equitable enforcement. For the purpose of this hearing DHCD will provide information around efforts within our purview to assist individuals facing eviction.

While DHCD is not involved in eviction proceedings the agency currently directs individuals facing eviction to legal assistance providers. Historically, DHCD has funded a number of legal assistance providers to provide legal services through Community Development Block Grants (CDBG). Presently, DHCD is in the process of implementing *Ordinance 20-0625 Landlord-Tenant - Right to Counsel in Eviction Cases*, which went into effect April 1, 2021 and must be fully implemented by DHCD within four years. This legislation provides eligible tenants with access to counsel in eviction proceedings. It also requires DHCD to fund organizations to conduct outreach and education regarding tenants' rights. Currently, DHCD is working with legal assistance providers and community advocates to design the implementation of this program, as well as create an education and outreach plan. We are also working to develop a legal services delivery model and collaborating with Baltimore City legal providers who will provide the counsel required by the legislation. DHCD has allocated \$2.4M in CDBG-CV 1 funds for Legal Services Eviction Prevention (LSEP) towards the Right to Counsel program.

DHCD also recognizes that the eviction crisis was exacerbated by the difficulties created by the COVID-19 pandemic. To that end, DHCD implemented a Temporary Rent Support (TRS)

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program to assist tenants experiencing COVID-19 hardship. Applications opened in July 2020. DHCD approved 686 tenants and the average assistance disbursed to tenants through the program was \$2,486 to cover the Months of April, May, and June 2020. From July 2020 onward, tenants were invited to apply to the Mayor's Office of Children and Family Success' (MOCFS) Eviction Prevention Program. DHCD assisted MOCFS in training them to use the *Neighborly* software to process applications, to search dwelling licensing on DHCD's property registration page, and to use DHCD's mapping tool CoDeMap. Any applicants vetted during the TRS program were automatically approved for MOCFS' Eviction Prevention Program and DHCD shared documentation to expedite the process. DHCD and MOCFS continue to collaborate on facilitating the Eviction Prevention Program.

In addition to TRS and the Eviction Prevention Program, during our ongoing operations, DHCD assists tenants through our Homeownership and Housing Preservation (HHP) Division. HHP's LIGHT Intake & Assessment unit makes referrals for energy and water bill assistance, the State's renters tax credit, legal counsel, and weatherization and lead hazard reduction programs for renters. We provide tenants with information on a variety of City and State programs to alleviate renter hardship.

In the past year, the Baltimore City Council and the Maryland General Assembly passed additional tenant protections. The General Assembly passed House Bill 18 which provides tenant access to counsel and Senate Bill 401 which requires landlords to provide additional notice for lease non-renewal. The Baltimore City Council and Mayor Scott's administration are actively working on standing up programs to provide direct security deposit assistance to tenants. DHCD is supportive of these City and State efforts as they may lower the barriers for tenants to find and maintain affordable housing.

DHCD believes it is in the best interest of all parties that the eviction process be streamlined, legal, and efficient, to that end we are involved in a Rent Court Working Group. This group is made up of Court staff, the Sherriff's Office, Tenant Advocates, Landlord representatives, HABC and DHCD staff. They usually meet monthly to discuss any issues around the eviction process.

DHCD recommends the funding of an additional position within the agency to assist tenants facing eviction. Currently, much of our renter assistance is done ad-hoc by our Tax Sales Services Coordinator and the HHP Division. A dedicated position to focus on tenant outreach, referral to existing programs, and liaison with organizations would be impactful in supporting tenants before and after the Sheriff's Office has carried out their role in the eviction process.

DHCD **supports** the passage of City Council Resolution 21-0083R and would defer to the Sheriff's Office as the agency most directly impacted by this Resolution.

AK:sm

cc: Ms. Themelis, Nina, *Mayor's Office of Government Relations*