



MARYLAND ACCESS TO COUNSEL IN EVICTIONS TASK FORCE

Implementation Committee

Wednesday, November 3, 2021

1:00-2:30pm



AGENDA

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- 1. Welcome & Introductions
 - 2. Background
 - 3. Key Areas for Recommendations
 - (a) Notice
 - (b) Uniformity
 - (c) Intake/Referral
 - 4. Discussion
 - 5. Next Steps
 - 6. Adjournment



BACKGROUND

- October 7, 2021: Survey of Current Projects Programs, Washington, New York, San Francisco, Connecticut
- October 11, 2021: Presentation by Real Estate Professionals
- October 25, 2021: Eastern Shore Collaborative
- October 27, 2021: Funding Committee



HB18: Access to Counsel Bill

HB18

Access to Counsel Program-Administered by MLSC

SCOPE: “Covered Individuals”

- Occupant of residential property; and
- Member of household w/ income < 50% of median income
- Full implementation by 2025
- MLSC informal pamphlet – Tenant Rights
- MLSC Outreach-Community Groups
- Judiciary: Development and publish form, “Notice of Intent to File a Complaint for Summary Ejectment” (FORM-DC-CV-115)

FORM-DC-CV-115

NOTICE OF INTENT TO FILE A COMPLAINT FOR SUMMARY EJECTMENT (Failure to Pay Rent) (Real Property Article § 8-401(c))

Rental Assistance may be available to both Landlords and Tenants.
Visit mdcourts.gov/legalhelp/housing or call 410-260-1392.

FROM: Landlord/Agent

Address _____
 City, State, Zip _____ Telephone _____
 E-mail Address _____

TO: Tenant (1) _____ Tenant (2) _____
 Tenant (3) _____ Tenant (4) _____

Address _____
 City, State, Zip _____ Telephone _____
 E-mail Address(es) _____

An action for repossession of the property will be initiated if the total amount listed below is not paid within 10 days after the landlord provides this notice. You have a legal right to dispute the charges.

The past-due rent and late fee amounts claimed by the landlord to be due are:
 \$ _____ rent for the months weeks _____ to _____
 \$ _____ *late fees for the months weeks _____ to _____
 *Due pursuant to the terms of your lease.
 \$ _____ *TOTAL

*Does not include other charges related to utilities, services, other fees, fines, and court costs.
 At your request, the landlord must promptly provide you an itemized accounting of debits and credits (rental ledger) showing how the landlord came up with the amount they claim you owe.

LANDLORD/AGENT CONTACT INFORMATION (if different from above)

Phone Number: _____ E-mail: _____
 Address: _____

DATE AND METHOD OF PROVIDING NOTICE

This notice was provided to the tenant by the landlord on _____ Date _____ by: _____

First-class mail – mail service certificate of mailing Affixed to the door of the leased property
 Delivered electronically by: E-mail message Text message Electronic tenant portal

 Date Signature of Landlord/Attorney/Agent Attorney Number

COURT RESOURCES FOR TENANTS

- Alternative Dispute Resolution (ADR) Office mdcourts.gov/district/adr/home
 - Meditation is a widely used dispute resolution process for disputes between landlords and tenants. Mediation is a conversation between the landlord and the tenant that is facilitated by a mediator. Topics discussed in mediation may include: the amount of rent that is due and how and when it might be paid; communication between the landlord and the tenant; a move out date and conditions of moving out; modifying, extending or terminating the lease; and/or, other topics important to the landlord and to the tenant. Mediation is available before and after a failure to pay rent case is filed in the District Court of Maryland. To request mediation, visit mdcourts.gov/district/adr/landlordtenant.
- Speak with a lawyer for free at a Maryland Court Help Center. Get legal advice, help with forms, and referrals to rental assistance programs. Visit mdcourts.gov/helpcenter or call 410-260-1392.
- Find a rental assistance program. Visit mdcourts.gov/legalhelp/housing.



See page 2 for nonprofit legal services organizations that may provide legal advice and representation for tenants who qualify.
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Nonprofit Legal Services Organizations – Eviction Help

These organizations may be able to provide legal advice or representation for tenants who qualify.

Allegheny County Allegheny Law Foundation 301-722-3500 alleghenylaw.com	Baltimore County (Continued) Pro Bono Resource Center 443-703-3053 probocount.org	Frederick County Maryland Legal Aid 301-694-7414 mdlab.org	Queen Anne's County Maryland Legal Aid 410-663-9676 mdlab.org
Maryland Legal Aid 301-777-7474 mdlab.org	St. Anne's Housing Aid Center 410-266-8550 x269 stanneshousing.org	Carroll County Maryland Legal Aid 301-777-7474 mdlab.org	Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org
Anne Arundel County Community Legal Services 240-191-6170 cbspc.org	Caroline County Maryland Legal Aid 410-763-9676 mdlab.org	Harford County Maryland Legal Aid 410-336-8200 mdlab.org	St. Mary's County Maryland Legal Aid 501-932-6661 mdlab.org
Maryland Legal Aid 410-972-2700 mdlab.org	Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org	Howard County Maryland Legal Aid 410-972-2700 mdlab.org	Somerset County Maryland Legal Aid 410-266-5511 mdlab.org
Baltimore City Disability Rights Maryland (if eviction is related to disability) 410-277-6152 disabilityrightsmd.org	Carroll County Maryland Legal Aid 301-694-7414 mdlab.org	Montgomery County Maryland Legal Aid 410-972-2700 mdlab.org	Talbot County Maryland Legal Aid 410-763-9676 mdlab.org
Homeless Persons Reentry/Transition Project (Public-Subsidized Housing) 410-581-6849 hnpmlaw.org	Calvert County Maryland Legal Aid 301-932-6661 mdlab.org	Kent County Maryland Legal Aid 410-763-9676 mdlab.org	Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org
Maryland Legal Aid 410-951-7750 mdlab.org	Cecil County Maryland Legal Aid 410-836-8202 mdlab.org	Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org	Washington County Maryland Legal Aid 301-694-7414 mdlab.org
Pro Bono Resource Center 443-703-3053 probocount.org	Charles County Maryland Legal Aid 301-932-6661 mdlab.org	Montgomery County Maryland Legal Aid 243-314-0775 mdlab.org	Wicomico County Maryland Legal Aid 410-546-5511 mdlab.org
Public Justice Center 410-625-9409 publicjustice.org	St. Anne's Housing Aid Center 410-366-8550 x249 stanneshousing.org	Montgomery County Fair Foundation 301-424-7651 fairmcc.org	Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org
Baltimore County Maryland Legal Aid 410-427-1300 mdlab.org	Dorchester County Maryland Legal Aid 410-546-5511 mdlab.org	Prince George's County Community Legal Services 240-391-6370 cbspc.org	Worcester County Maryland Legal Aid 410-546-5511 mdlab.org
Maryland Legal Aid 410-972-2700 mdlab.org	Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org	Maryland Legal Aid 301-562-2100 mdlab.org	

KEY AREAS FOR RECOMMENDATIONS - NOTICE

Maryland: “10 day notice” DC-CV-115

Washington & New York Programs – Early Notification

Possible Recommendations:

- 1 - State Wide Hotline and Hubs
- 2 - Rental Assistance Information / 24hrs-connection to legal service providers
- 3 - Appearance / Rescheduling-granting continuances for ATC
- 4 - Rule Change / Maryland Rules
 - * Advice of access by tenant / litigant to Counsel
 - * Prior proceeding
- 5 - Request for Counsel Qualifies as “Good Cause” for judicial continuance of court hearing
- 6 - Mandatory E-Filing of Complaint for Summary Ejectment and mandatory filing of pre-filing notice
- 7 - Establish Partnership with other State Departments of Human Resources & State Department of Housing & Community Development (Eastern Shore)
- 8 - Transportation assistance for tenants to access court and legal service providers
- 9 - The Taskforce should establish guiding principles

KEY AREAS FOR RECOMMENDATIONS - UNIFORMITY

Complaints for Summary Ejectment

Possible Recommendations:

- 1 - Advance distribution / access by District Court of dockets to non-profit legal service organizations and copy of pre-filing notice
- 2 - Development of standardized approved certification of non-profit legal service organizations and training for volunteer Counsel and increase staffing to meet the need
- 3 - Expand Accessibility to tenants via literature, possible kiosks in DSS offices, public libraries, clinics, hospitals and mobile units
- 4 - Transportation subsidies/vouchers for court access in rural communities

(WASHINGTON STATE)



KEY AREAS FOR RECOMMENDATIONS - INTAKE/REFERRAL

Central Screening

Possible Recommendations:

Development of a central hotline with dedicated staff and some form of on-line portal capability

* Less than a 2 day turn around for potential client (Washington State)

Components:

HUB type function with the ability to address or a process to address conflicts of interest – regardless of whether an off the shelf or customized system

(Washington State / New York)

Project Planning:

Per HB 18, prioritize implementation in counties that have invested in local access to counsel and/or eviction prevention programs