



Maryland Access to Counsel in Evictions Program

2021 Report
(October 2021 – December 2021)

Submitted by



MLSC

MARYLAND LEGAL SERVICES CORPORATION

IOLTA - INTEREST ON LAWYER TRUST ACCOUNTS

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Final



Introduction

In 2021, the Maryland General Assembly created the Access to Counsel in Evictions program (“ACE”) via HB 18/Ch. 746 and designated Maryland Legal Services Corporation (“MLSC”) as the administrator. MLSC is a legislatively created nonprofit with a mission to ensure low-income Marylanders have access to stable, efficient and effective civil legal assistance through the distribution of funds to nonprofit legal services organizations. The General Assembly created MLSC concurrently with the Interest on Lawyer Trust Accounts program, and in fiscal year 2021 MLSC provided funding to 36 nonprofit organizations serving Marylanders across the entire state.

HB 18/Ch. 746 provided parameters for ACE, including tenant eligibility, implementation timing and prioritization, case types applicable for legal representation, and tenant outreach and education. It also created the ACE Task Force and the ACE Special Fund, as well as the following reporting requirement:

“On or before August 31 each year, MLSC shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly:

- (1) The number of covered individuals provided legal representation during the previous calendar year;*
- (2) Information on and metrics evaluating case outcomes; and*
- (3) A summary of the engagement and education of tenants.”¹*

While the ACE statute went into effect October 1, 2021, no funding was designated for the program for fiscal year 2022, neither through the ACE Special Fund nor via any other funding stream. As noted in § 8-910, “Access to legal representation under this subtitle is subject to the availability of funding.”²

Reported Statistics

As no funding was available for ACE during the reporting period, no services were provided. MLSC looks forward to reporting the number of covered individuals, case outcomes, and a summary of tenant outreach in our next report now that funding has been identified to commence in fiscal year 2023.

While no case activity occurred during the reporting period, MLSC was deeply involved in the work of the ACE Task Force from October 2021 through December 2021. Attorney General Brian Frosh appointed Deb Seltzer, MLSC’s executive director, to the Task Force, and she served as the chair of the Funding Committee. The Task Force explored issues related to funding, implementation, and data/evaluation, and issued its first report in January 2022.

MLSC also continued funding eviction prevention work outside of ACE. Please see Appendix A for background information and statistics related to these grants, which have heretofore taken place separately from ACE.

¹ MD Code, Real Property, § 8-907

² MD Code, Real Property, § 8-910



Appendix A

MLSC Eviction Prevention Grants

Background

Over the past several years, MLSC has sought to complement the growth of advice and referral resources available to Marylanders. Time and time again, MLSC heard from its nonprofit grantees that they were encountering large numbers of Marylanders attempting to go it alone in complex court cases, but the organizations did not have dedicated resources to adequately assist clients in litigation. In response, we launched the Extended Representation Project in July 2018, which prioritizes placing attorneys in court with clients – clients who very likely would have otherwise gone unrepresented.

Through the Extended Representation project, several grantees launched or expanded rent court projects. While MLSC has long funded eviction prevention legal services, the Extended Representation project represented our first dedicated funding stream for this work, and we chose eventually to dedicate all Extended Representation funding to this issue area. Programs launched in fiscal year 2019 grew in fiscal year 2020, and then saw profound changes due to the COVID-19 pandemic. While the number of actual eviction cases heard in court dropped significantly due to eviction moratoria and rental assistance funding, grantees remained active, answering tenant questions about the various moratoria, as well as evolving local, state and federal policies. Grantees also provided virtual presentations on tenant rights and responsibilities.

When courts expanded capacity and began hearing eviction cases again, grantees were quick to return to in-court service. In fiscal year 2021, grantees used MLSC and other funding to obtain the following case outcomes:

	Cases Closed	People Directly Benefited
Prevented eviction from public or subsidized housing	180	401
Prevented eviction from other housing	648	1,724
Prevented termination or denial of housing subsidy	50	86
Delayed eviction, providing time to seek alternative housing	477	1,213
Obtained access to housing	41	86
Avoided or obtained redress for illegal or unfair charges by landlord	65	174
Overcame denial of tenant’s rights under lease	25	44
Enforced rights to decent, habitable housing	100	256
Preserved or restored access to personal property	76	195
Obtained repairs to dwelling	32	78
Obtained return of security deposit	11	20
Obtained cash-for-keys, relocation assistance or other tenant settlement	18	37
Obtained neutral reference from landlord	3	8
Obtained other benefit for tenant	166	381
Obtained brief advice, information or referral on a housing matter	1,167	1,633
Obtained counseling services on a housing matter	86	149
Obtained representation in housing administrative proceeding or litigation	22	57
Total	3,167	6,542

Fiscal year 2022 data will be available in September.