



ACCESS TO COUNSEL IN EVICTIONS TASK FORCE



REPORT OF THE ACCESS TO COUNSEL IN EVICTIONS TASK FORCE JANUARY, 2025

Please Expedite

NOTICE OF EVICTION

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A court order has been issued regarding

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Letter From Attorney General Anthony Brown

In 2021, Maryland became one of the first states in the country to provide tenants the right to access counsel in eviction proceedings by passing the Access To Counsel in Evictions (“ACE”) law. The State's aim was to put tenants on more equal footing with landlords in an arena where they had been historically disadvantaged, often with devastating consequences. In the years prior to the passage of this historic law, over 90% of landlords and housing providers had legal representation, whereas over 90% of tenants did not. This imbalance served no one well; our justice system works best when both parties have access to counsel.

This law is particularly meaningful given the disproportionate burden of eviction on Black women and single mothers. This unfortunate national trend holds true in Maryland, with data from Stout, Risius, and Ross – the organization tasked with evaluating the ACE Program in Maryland – showing that a disproportionate number of clients receiving services through the ACE Program self-identify as Black, female, and single-mothers. This law, therefore, is also working to make our justice system more equitable.

The ACE law is designed to help (1) ensure tenants have a fair eviction proceeding; (2) reduce the high number of eviction proceedings; and (3) keep more Marylanders in their homes. Meanwhile, the ACE Task Force, established under the law: (1) works to ensure that information is shared among stakeholders and that all stakeholders' voices are heard as the law is implemented; (2) evaluates the provision of services outlined in the law, (3) identifies potential funding sources, (4) recommends ways to improve the program, and (5) issues a report annually on or before January 1st.

The Task Force's 2025 report details crucial findings and recommendations. The most important recommendation is to ensure the continuation of a consistent and permanent funding source by lifting the sunset on the State's funding of the ACE Program from its abandoned property fund. Additionally, now that the ACE Program is in its fourth year, with expansion

across every jurisdiction in Maryland and a solid foundation for the Program to continue to expand and grow, both my Office and the Task Force recommend sunseting the Task Force after it produces a final report on January 1, 2026 – after the ACE law’s target date for full implementation on October 1, 2025. While the Task Force’s members and other key stakeholders are likely to continue meeting to discuss and strengthen the ACE Program for years to come, we feel a formalized body that produces an annual report to the Governor and the General Assembly is no longer needed, especially since so many of the stakeholders (such as Maryland Legal Services Corporation and the Department of Housing and Community Development) produce their own mandated annual reports related to eviction proceedings and the ACE Program.

Other key recommendations include: (1) ensuring uniformity in the District Courts to enable meaningful implementation of the statewide ACE law; (2) standardizing the language describing the ACE law and Program across all eviction-related forms and letters tenants receive; (3) coordinating the communications strategies designed to increase awareness of the ACE law and Program across the State; (4) ensuring that tenant perspectives and tenant voices are incorporated in the implementation of the ACE law; (5) establishing partnerships across all data-collecting organizations to enable equity analyses of eviction data; and (6) continuing to forge long-term partnerships among stakeholders to ensure the long-term success of the Program.

Implementation of this monumental new State law involves many stakeholders whom I urge continue the critical work necessary to ensure that all Marylanders who are facing eviction can exercise their right to access counsel.

In closing, I want to thank those who are working tirelessly to implement this groundbreaking Program, including the Maryland Legal Services Corporation, State agencies, the Judiciary, civil legal aid organizations, housing providers, and community-based organizations. Thank you to the Task Force Members for their continued commitment to equity and justice. I also want to thank Reena Shah, the Chair of the Task Force, for her unwavering commitment to increasing access to counsel for tenants in Maryland. And finally, thank you to the Office of the Attorney General staff Louise Flavahan and Tara Miles for supporting the Task Force’s work.

Sincerely,

A handwritten signature in black ink, appearing to read "AG Brown", with a stylized, cursive script.

Anthony G. Brown

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INTRODUCTION

During the 2021 legislative session, the Maryland General Assembly passed HB 18,¹ which became the Access to Counsel in Evictions law (ACE law), making Maryland only the second state in the nation to have a Program that provides access to legal representation to all income-qualified persons facing eviction on a statewide basis. The ACE law provides that all Marylanders who meet certain income qualifications “shall have access to legal representation” in judicial or administrative proceedings to evict or terminate a tenancy or housing subsidy.² As such, the law creates a right for all income-qualified Marylanders to access counsel in eviction proceedings.

The ACE law went into effect on October 21, 2021, but there was no funding attached to it until the 2022 legislative session, when the Task Force recommended and the access to justice community successfully advocated with the Governor and the Maryland General Assembly to obtain two years of seed funding to begin implementing it, receiving \$11.8M for FY2023 and \$14M for FY2024. Thereafter, during the 2023 legislative session, the Task Force recommended, and the access to justice community succeeded, in acquiring three additional years of base-level funding of \$14M per year for implementation of the ACE law through FY2027. With that funding set to expire on June 30, 2027, the Task Force has explored and made recommendations in this report to secure permanent funding to ensure the ongoing implementation and success of the ACE Program in Maryland.

Almost four years in, it remains critical to remember why the ACE law was passed - to reduce evictions and disruptive displacement³ and curb the harms that come with experiencing the trauma of an eviction. The devastating effects of evictions on individuals, families, and communities have been well-documented.⁴ Evictions result in great economic burdens on both landlords and tenants. A study of low-income mothers found that “eviction results in multiple and multidimensional negative consequences for mothers leading to both economic hardships and health problems.”⁵ For children, the consequences of an eviction can negatively affect their

¹ <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0018?ys=2021rs>.

² See:

<https://govt.westlaw.com/mdc/Browse/Home/Maryland/MarylandCodeCourtRules?guid=N76EF0F00F0D911EBA095BB916A350C82&transitionType=Default&contextData=%28sc.Default%29> and also: <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0018?ys=2021RS>

³ According to the HB 18 preamble, disruptive displacement can include delaying evictions, providing clients more time to move and securing access to housing.

⁴ Stout Risius Ross, LLC, *The Economic Impact of an Eviction Right to Counsel in Baltimore City* (May 8, 2020) (*Stout Study*).

⁵ See, e.g., Robert Collinson & Davin Reed, *The Effects of Eviction on Low-Income Households* (Dec. 2018), <https://bit.ly/3lrYftK>; Matthew Desmond & Rachel Tolbert Kimbro, *Eviction’s Fallout: Housing, Hardship, and Health*, 94 Soc. Forces 295, 295-301 (2015), https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf.

performance in school, cause or contribute to behavioral issues, and increase health risks.⁶ It is also well-established in national data that the consequences of evictions fall disproportionately on communities of color, especially Black women – findings that have been confirmed in Maryland in the initial analysis and review of the state’s ACE Program performed by Stout Risius Ross (“Stout”).

In other jurisdictions, access to legal representation has been proven to reduce eviction and disruptive displacement of families as well as reduce the attendant social, economic, and public health costs of eviction and displacement. The law acknowledged the outsized level of eviction filings and the high rate of evictions in Maryland and cited the reasons below for ensuring access to counsel:

- Evictions come with collateral consequences which may have a generational impact.
- Evictions create a significant cost for state and local governments including costs associated with shelters, education, transportation for the homeless youth, foster care, and health care provided in hospitals rather than community-based care.
- Evictions have a disparate impact on Black and Brown households and those led by women.
- Evictions are a high stakes legal process where access to legal representation is markedly uneven between landlords and tenants.

The ACE law tasked the Maryland Legal Services Corporation (“MLSC”) with the responsibility to administer and implement the ACE law. The law provides that the ACE Program should be fully phased in by October 1, 2025.

The ACE law also created the Access to Counsel in Evictions Task Force (“Task Force”), whose charge is to:

- Evaluate the services provided through the Access to Counsel in Evictions Program;
- Study potential funding sources; and
- Make recommendations to improve the implementation of the Program, including necessary policy and statutory changes.

The existence and creation of a task force to monitor implementation is unique among states and jurisdictions that have similar laws. This Task Force is viewed positively, on a national basis, because it has allowed for a birds-eye and systems-level review of a new and substantial implementation effort that has many moving pieces and high stakes. It has also enabled us to

⁶ See Matthew Desmond et al., *Evicting Children*, 92 Soc. Forces 303, 320 (2013), https://scholar.harvard.edu/files/mdesmond/files/social_forces-2013-desmond-303-27.pdf.

have a critical eye, spot issues and course correct along the way to ensure successful and meaningful implementation.

The Task Force is composed of 15 members appointed by the Office of the Attorney General (“OAG”), including a Chair designated by the Attorney General, and is staffed by the OAG. The Task Force is required to “report its findings and recommendations to the Governor and ...the General Assembly” on or before January 1 of each year since the law was passed and “thereafter,” without a prescribed end date.

Thus far, the Task Force has delivered three reports. The inaugural 2022 Report laid out the roadmap for implementation of the ACE law (“Roadmap Report”)⁷ and the 2023⁸ and 2024 Reports captured the very beginnings and nascent stages of the implementation of the ACE law.

After the Task Force delivered its 2024 Report, it resumed its work during the fall of 2024, in preparation to deliver its fourth annual report. Starting in October, 2024, the Task Force held eight plenary meetings in total,⁹ inviting all key stakeholders to share information about the progress in implementation of the Program.

At the meetings, the Task Force heard from key local stakeholders, including MLSC, the Maryland Judiciary, and the Department of Housing and Community Development (“DHCD”). It also heard from the civil legal aid organizations that have received grant funding from MLSC¹⁰ to implement the ACE law, as well as the organizations managing the coordinated intake system,¹¹ conducting the data and Program evaluation¹² and those doing tenant outreach.¹³ As time was limited in the meetings, the Task Force also requested written reports from civil legal aid organizations and organizations working to build the pipeline of attorneys for future ACE Program implementation and access to justice work.¹⁴ The Task Force’s inquiry focused on the

⁷ Maryland Access to Counsel in Evictions Task Force, Report of the Access to Counsel in Evictions Task Force (January 2022).

⁸ Maryland Access to Counsel in Evictions Task Force, Report of the Access to Counsel in Evictions Task Force (January 2023)

⁹ The Task Force carries out its work in accordance with the Open Meetings Act, inviting observers to the meeting and posting Agendas and meeting recordings here: <https://www.marylandattorneygeneral.gov/Pages/A2C/index.aspx>.

¹⁰ CASA, Community Legal Services of Prince George’s County, Disability Rights Maryland, Homeless Persons Representation Project, Maryland Legal Aid, Shore Legal Access, Pro Bono Resource Center and Public Justice Center.

¹¹ United Way of Central Maryland and Civil Justice, Inc.

¹² Stout Risius Ross, LLC, Preliminary Observations from Stout’s Evaluation of Maryland is Access to Counsel in Evictions Program (October 17, 2023).

¹³ Baltimore Renters United; CASA; Clay Street Community Development Corporation, Economic Action Maryland; Montgomery County Renters Alliance; Spanish Speaking Community of Maryland and United Workers.

¹⁴ University of Baltimore School of Law; University of Maryland Francis King Carey School of Law; Equal Justice Works.

status of implementation across the entire state of Maryland; what was working well; and the areas that were of concern and required reform.

This report captures the Task Force's findings and recommendations.

GUIDING PRINCIPLES

In addition to policy recommendations, the Roadmap Report adopted a set of guiding principles to inform the implementation of the ACE law. We include these at the top of each report to remind and guide us along the ACE law's implementation journey. We share them again in this report to connote their importance. They are as follows:

- Income-eligible tenants shall have access to counsel in eviction proceedings.
- Keep equity at the forefront of outreach, implementation and evaluation of the Program to address the disproportionate impact that evictions have on people of color, on women specifically, and in households with children.
- Build a system that is fair, accessible, understood and easily navigable by Marylanders facing eviction.
- Incorporate the voice and feedback of residents impacted by eviction in system design, development, and assessment.
- Reach tenants at the earliest possible stage to prevent court hearings where resolutions can be found ahead of time, and to ensure that tenants have time to prepare their defense and seek other resources.
- Prioritize phased implementation in jurisdictions that have invested in legal services to prevent evictions.
- Ensure consistency and uniformity in the Program while recognizing and accounting for local differences as needed.
- Be willing to learn, grow, improve, and adjust the Program as it is fully implemented.
- Build on the reduction of eviction filings during the pandemic by facilitating the implementation of the access to counsel Program, lasting access to rental assistance, eviction diversion, and other eviction prevention mechanisms.

TESTIMONIALS FROM THE ACE PROGRAM

Before sharing updates from this year's hearings, the Task Force wishes to share testimonials provided by the civil legal aid organizations implementing the ACE Program to highlight the importance and tremendous impact of this transformational law.

From Maryland Legal Aid:

"A Housing Choice Voucher tenant with severe disabilities came to MLA after his landlord had filed Breach of Lease and Failure to Pay Rent cases against him even though he had already lawfully vacated with notice and turned in his keys. The landlord also reported the filings to the housing authority, which then terminated our client's voucher, rendering him homeless. During a long-term hospital stay, squatters moved into the tenant's apartment. Without speaking to the tenant, the landlord concluded the tenant had moved the squatters in himself. MLA achieved dismissal of the two eviction cases and reinstatement of the client's voucher. Without our assistance, this client with severe disabilities would have remained homeless and his health would have continued to worsen."

From the Pro Bono Resource Center:

"Mr. T first connected with PBRC staff attorneys at our day-of-court clinic in Towson. He had come to court in response to a summons for a Tenant Holding Over action. He was 52 years old and living with his wife, who had MS and was currently bedridden due to a recent fall. He stated that he had been paying rent, but that there had been a disagreement over the amount of rent due during the lease renewal process in September, 2023. The landlord had filed two other actions against him, resulting in pending evictions for May and June. The PBRC attorney negotiated with the landlord and the landlord agreed to file a stipulated dismissal of the THO action. Under that agreement the tenant agreed to move out and the landlord agreed to cancel all other actions. The client was then referred to PBRC's Eviction Prevention Counselor for assistance in finding alternate housing."

"Ms. A was a 28-year old mother living in subsidized housing with her three young children who had recently lost her job. Her rent was \$147/month. She first encountered PRBC attorneys at our rent court clinic at the Baltimore City, where she asked for representation. At that clinic, her case was postponed to allow time to get a copy of her rental assistance agreement and the ledger. Ms. A was also referred to our Eviction Prevention Counselor for assistance with her job search and other financial supports. At the second hearing, after reviewing the ledger and the rental assistance documents, the parties agreed that the rent owed was \$429 rather than \$879 as alleged.

She assured her landlord that she could pay the remaining amount due within seven days. With this assurance the landlord agreed to a dismissal of the complaint.”

From Shore Legal Access:

“A recent Latino tenant client was initially hesitant to take advantage of same-day representation and was especially wary of providing any personal information. He was the sole breadwinner in his household and was worried about being able to resolve the issue that day because he was losing income by spending time at court. After discussing the opportunity for legal representation and SLA’s confidentiality agreement with the bilingual case manager, the tenant decided to move forward with representation. The judge found that the tenant had in fact paid the rent through money orders in a timely manner and the family was able to remain housed.”

UPDATES AND FINDINGS

Executive Summary

Now in its fourth year, the ACE Program and its various components have been expanded to every jurisdiction across the state, and ACE attorneys closed 9,169 cases in FY 2024. MLSC reports that they have built the Program with an eye towards long-term sustainability. According to Stout, the entity tasked with evaluating the Program, ACE has provided over \$46 million in fiscal impacts and economic benefits in FY 2024 alone, which amounts to a \$3 return for every \$1 invested by the state.

Furthermore, according to Stout’s analysis, approximately 87% of clients indicated that they wanted to stay in their home, and, of this group, approximately 88% of them were able to do so at the closure of their case, which is a remarkable success rate for the Program and the attorneys representing these clients.

However, despite the positive progress of the Program resulting in representation in over 9,100 cases, the challenge of full implementation of the Program lies in the unusually outsized number of case filings in Maryland courts, which hovered around 400,000 last year. Some additional challenges to full implementation and meeting the need in Maryland include: the fact that approximately two-thirds of people who have received services under the Program reported not knowing about the right to access counsel until the day of their court date; identifying and reaching the sufficient attorney staffing capacity to meet the needs of Marylanders facing

evictions; inconsistent docket sizes; and the lack of standardization in experience under the ACE Program in courthouses and courtrooms across the state.

The Task Force offers the below summary of findings and accompanying policy and Program recommendations to help address these challenges and continue the successes of the ACE Program to date.

ACE Program Funding

As explained in the report's opening section, since the ACE law's passage, there has never been a permanent funding source attached to it. Securing such a source has been one of the Task Force's top priorities since its initial report. MLSC reported during their testimony before the Task Force that current expenditures for the ACE Program are around \$20 million dollars, with future projections of funding needed to support ongoing implementation of the Program in the range of \$20-24 million.¹⁵

Currently, the Program is funded with \$14 million annually from the state's abandoned property fund through FY 2027. The remaining \$6 million needed for the Program's statewide implementation is made up of state and federal grants and other sources secured by MLSC. Making this \$14 million source of funding from the state's abandoned property fund a permanent source of revenue for the Program is critical to the ACE law and Program's success. However, even with that funding secured, supplemental funds in the range of at least \$6 million and upwards of \$10 million will be needed to ensure the Program's success and ongoing implementation to fulfill the law's intent.

In considering future funding needs of the Program, the Task Force wants to specifically highlight the need to be able to provide competitive salaries for the ACE attorneys and professional staff who are implementing the Program. MLSC has provided salary increases across the board to improve attorney and staff retention. Both MLSC and the civil legal aid organizations reported challenges in recruiting and retaining attorneys, citing, among other challenges, the relatively low salaries compared to others working in public service legal fields (e.g. prosecutors and public defenders) as one of the key causes. Ensuring competitive starting salaries and increases commensurate with experience will help strengthen the pipeline of attorneys and staff for the ACE Program for years to come.

¹⁵ The projected annual budget may change in future years once more is known about the impacts of the increased filing fees in Maryland as well as the broader need for access to counsel in eviction proceedings across the state.

Both MLSC and DHCD explained during their testimony that additional revenue is expected from the increase in eviction filing fees¹⁶ that went into effect on October 1, 2024. However, neither was able to provide an estimate of the amount of revenue expected from this increase as the law had just gone into effect. Both organizations also expressed uncertainty about whether the increase in filing fees was sufficient to depress the total number of filings in Maryland. Despite these unknowns, and beyond the potential revenue stream to support the ACE Program's implementation, the Task Force commends the increase in filing fees as a means of aligning our fees with the regional average and potentially reducing the number of eviction filings – which, at present, are much higher than other states¹⁷ and pose a challenge in fully implementing the ACE law. In addition to the rise in fees for Failure to Pay Rent filings, the same law also provided for an across the board increase in fees for all District and Circuit filings in state courts, a portion of which will go towards funding MLSC. For the same reasons as mentioned above, it is unclear what the total revenue from these fees will be.

The Task Force is also aware that as pandemic-era Emergency Rental Assistance funds have dried up,¹⁸ there may be an increase in housing instability and subsequent downstream impacts on eviction-related filings and the need for access to counsel in our state. Additionally, in order for civil legal aid organizations to continue to scale to meet the need in Maryland, there needs to be a continuous and stable source of funding for the ACE Program.

Task Force recommendations based on these findings include:

- The General Assembly should lift the sunset on the funding of \$14 million annually to MLSC for the ACE Program from the state's abandoned property fund.
- The General Assembly should provide additional supplemental funding to MLSC for the ACE Program to meet the projected annual budget of \$20-24 million to ensure successful ongoing implementation of the ACE law.

¹⁶ The filing fee increased from \$15 to \$50 (\$60 in Baltimore City) as part of the Renters' Rights and Stabilization Act of 2024, more information on the law is available here:

<https://mgaleg.maryland.gov/mgaweb/Legislation/Details/2024RS0693?ys=2024RS&search=True>, and here: <https://dhcd.maryland.gov/TurningTheKey/Documents/2024RS0693-FAQ.pdf>

¹⁷ For example, in Maryland, roughly 400,000 eviction filings are made annually, which is more than all of both Pennsylvania and Virginia's annual filings when combined. See:

<https://www.delmarvanow.com/story/news/local/maryland/2023/12/06/marylands-rising-eviction-rate-renews-call-for-tenants-rights/71814753007/> and <https://evictionlab.org/>

¹⁸ Despite these funding challenges and future unknowns, the Task Force was heartened to hear more about DHCD's efforts to implement the recently passed Community Schools Rental Assistance Program, which is designed to support the families of students attending Community Schools in Maryland by way of rental assistance. As noted earlier in the report, young people can face deleterious effects to their education, behavior, and health as a result of evictions and housing instability. Programs like this can help support the ACE Program by potentially reducing the need for evictions-related filings and the overall burden on the Program and its providers. More information on the Program can be found here: <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/2024RS0370?ys=2024RS>.

Program Implementation: Status of Implementation

The Task Force commends MLSC for its efforts to phase in the ACE Program in accordance with the ACE law's targeted date of October 1, 2025 for full implementation. MLSC manages the funding and oversight of the ACE Program across 13 civil legal aid organizations. The ACE Program is operated by grantee organizations employing 50.27 attorney FTEs,¹⁹ 25.03 paralegal FTEs, and 22.69 other staff FTEs. In accordance with MLSC's plan, the ACE Program was expanded to every jurisdiction in Maryland during FY 2024. MLSC reports that the Program's implementation has been designed for long-term sustainability and success.

Throughout the hearing process this fall, the Task Force heard testimony from both MLSC and Stout regarding the status of implementation and the impacts of the ACE Program. Among the most encouraging findings for the state include a finding that for every dollar invested in the ACE Program by the state, there is likely at least a \$3.04 return to the state in terms of fiscal impact and economic benefit.



Stout preliminarily estimates that for every dollar spent on ACE to date, Maryland has likely realized at least \$3.04 in potential fiscal impacts and economic benefits (consistent with Stout's findings in other jurisdictions).

Additionally, based on these findings, Stout reported that the total estimated fiscal impacts and benefits to the state for FY 2024 are \$46.7 million.



The total estimated fiscal impacts and economic benefits from July 1, 2023 through June 30, 2024 is \$46.7 million.

Finally, during its testimony before the Task Force, DHCD provided an update regarding their newly established Office of Tenant and Landlord Affairs ("OTLA"), which is to be housed within the Division of Homeless Solutions. OTLA will serve as a primary contact point for Maryland tenants who seek resources related to their rights and protections or need credit or financial counseling. The Office of Tenant and Landlord Affairs also publishes annually the Maryland Tenants' Bill of Rights, a summary of tenant rights and protections under existing law which landlords must attach to residential leases, and administers and operates the tenants' right of first offer and right of first refusal portal, as established by the Renters' Rights and

¹⁹ FTE stands for full-time equivalent, which is a measurement of how many total full-time employees and/or part-time employees that add up to full-time employees, are currently employed by an organization.

Stabilization Act.²⁰ OTLA is poised to be an excellent complement to the ACE Program and serve as a valuable resource to the broader ACE and access to justice communities.

Now that the ACE Program has expanded across the state and nears its October 1, 2025 full implementation date as outlined in the ACE law, and this Task Force has produced four annual reports that have been taken up by stakeholders and policymakers with success, the Attorney General and the Task Force posit that the need for a formalized body to perform oversight and produce annual reports is no longer necessary after the January 1, 2026 report. This recommendation is also made with the consideration that many other ACE stakeholders, including MLSC and DHCD, collect data and produce annual reports related to evictions and the ACE Program in Maryland – which will continue to provide vital information about the ACE law and Program moving forward.

Even without a formalized body, the Task Force sees the value in continued stakeholder convenings to address issues with the Program as they arise and ensure it remains on a successful trajectory. Conversations between the Task Force and other stakeholders are already underway to explore the formation of a less formal, but ongoing, platform for ACE Program review and oversight. Organizations that could help lead this effort in the future include the Maryland Access to Justice Commission and/or OTLA.

Task Force recommendations based on these findings include:

- The General Assembly should sunset the Task Force on January 1, 2026 after it produces its fifth and final report.

Program Review: Data Analysis

The Task Force heard testimony focused on data review and analysis from both MLSC and Stout, which is summarized below.

During FY 2024, 9,196 cases were closed by ACE attorneys in the state of Maryland, representing a 91% increase over FY 2023. Accounting for households impacted by these closed cases, over 21,000 Marylanders benefitted from the Program – including 9,100 children. MLSC reported that preliminary data from Q1 of FY 2025 shows that the number of people served by the ACE Program is on track to exceed FY 2024 figures over the coming year.

²⁰ For more information, see here:

<https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0693?ys=2024RS&search=True> and here: <https://dhcd.maryland.gov/TurningTheKey/Documents/HB693-Landlords-Property-Owners-Handout.pdf>.

Stout presented data analyzing the primary goals and outcomes for ACE Program clients who received extended representation.²¹ The three most frequently identified goals were to:

- Prevent an eviction judgment;
- Prevent an involuntary move; or
- Secure time to move.

Approximately 87% of clients indicated that they wanted to stay in their home, and, of this group, approximately 88% of them were able to do so at the closure of their case, which is a remarkable success rate for the Program and the attorneys representing these clients.

According to Stout, approximately 63% of the closed cases were same-day intakes and 37% were pre-trial intakes. These numbers reflected the anecdotal experiences of the civil legal aid organizations who reported that approximately two-thirds of their cases were generally same-day intakes and one-third were pre-trial intakes.

Approximately 77% of clients received extended representation, with the remaining 23% receiving counseling related to their eviction case. Stout noted that this is consistent with other jurisdictions they have performed analyses for, with a general range of approximately 25-35% of clients receiving advice or counsel as opposed to more in-depth legal services.

In terms of their equity analysis of the ACE Program's implementation in Maryland, and as reflected in Figure 1 below, Stout's findings show that over 72% of clients identified as Black, which is disproportionately higher than the 31% of Marylanders who identify as Black, and a total of 86% identified as non-white.

²¹ As opposed to those who only received counseling regarding their case.

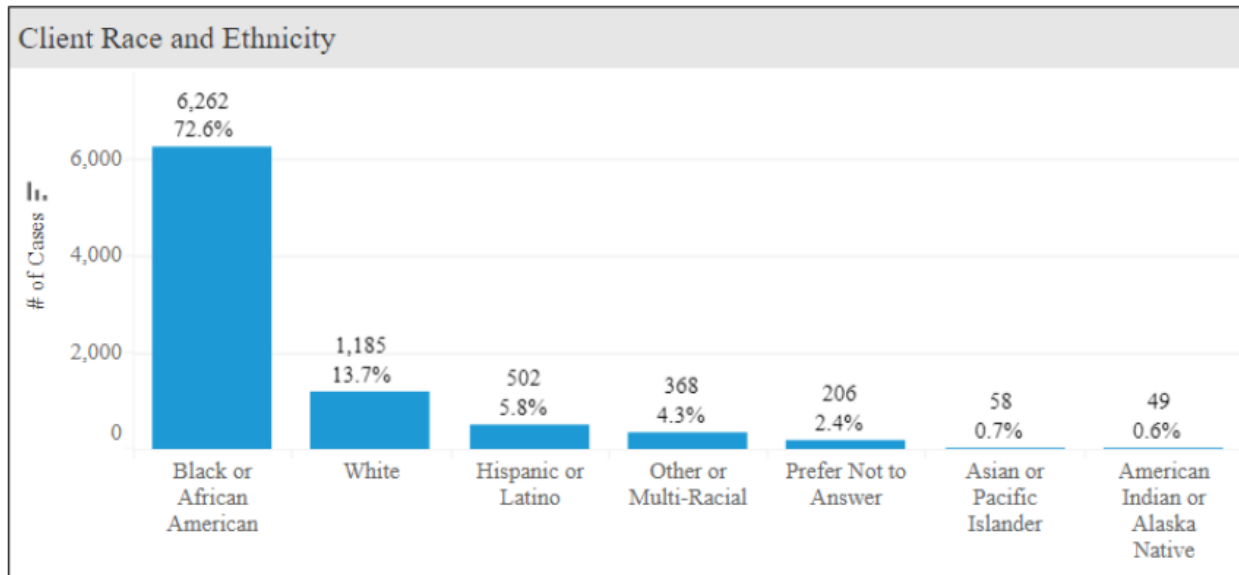


Figure 1: Data on the Race and Ethnicity of Maryland ACE Program clients, provided by Stout

Additionally, their findings show that approximately 72% of clients identified as female, while only 51.4% of Maryland's population identifies as female according to the US Census Bureau,²² meaning that a disproportionate number of clients identified as Black and female as compared to Maryland's population, as shown in part in Figure 2 below.

Race / Ethnicity	ACE Clients	MD Population
Black or African American	73%	31%
White	14%	48%
Hispanic or Latino	6%	11%
Other or Multi-Racial	4%	3%
Asian or Pacific Islander	<1%	7%
American Indian or Alaska Native	<1%	<1%

Figure 2: Comparison of ACE Clients versus the MD population, provided by Stout

Stout also reported that approximately 33% of all clients reported that they or someone in their household had a disability, while approximately only 12% of Maryland residents report having a disability, meaning that, again, a disproportionate number of Marylanders with disabilities were represented in the ACE Program data. Further data insights from Stout indicated that those over

²² [U.S. Census Bureau QuickFacts: Maryland](#)

the age of 65 were more likely to indicate that they or someone in their household had a disability than those under the age of 65.

Program Implementation: Staffing of the ACE Program and the Pipeline for Future ACE Attorneys

During the hearings hosted by the Task Force this fall, a complex story emerged about capacity among civil legal aid organizations to staff the ACE Program. Nearly every civil legal aid organization providing legal services for the ACE Program stated that they were at staffing capacity in terms of the staffing goals proposed in their grants with MLSC, but many also noted that this did not necessarily mean that they were at capacity in terms of the need²³ in the regions and jurisdictions they serve. This was particularly true in jurisdictions like Baltimore City, Baltimore County, Montgomery County, and Prince George’s County which all see a higher volume of eviction-related filings than other jurisdictions.

These organizations pointed to a number of constraints that might prevent them from growing their staff, including resource needs, difficulty in recruitment and retention – which is discussed in greater detail below –, and a lack of funding to increase organizational infrastructure to manage more staff.

While some civil legal aid organizations stated that they did not have to turn away eligible clients as a result of staffing capacity limitations, some did. And many pointed out that there is no way to know how great the need truly is in Maryland, but it is likely the case that not every eligible tenant is aware of the ACE law/Program and that not every eligible tenant is able to secure meaningful access to counsel. This gap in the understanding of the unmet need in our state is discussed further in the “Program Review: Gaps in the Data” section below.

Civil legal aid organizations and MLSC both reported challenges related to recruitment and retention of ACE attorneys and staff. MLSC provided additional context that this is a challenge being felt across all legal services (not just ACE Programs) and across the country. As mentioned in the “Funding” section above, MLSC has worked diligently to increase salaries to improve retention rates, having provided multiple rounds of funding to civil legal aid organizations solely for salary increases, which the Task Force commends.

Recruitment challenges are particularly acute in the more rural regions of our state which presents a unique challenge for legal service providers in these areas because one civil legal aid

²³ i.e. That all income-eligible tenants had access to legal representation in the eviction cases within the regions and jurisdictions they serve.

office generally staffs multiple large counties where the distance between courthouses often means that staff are physically unable to man more than one location at a time due to lack of staffing capacity. Civil legal aid organizations suggested that remote hearing capacity within the Judiciary and receiving the dockets in advance would allow them to allocate resources more efficiently and may help address these issues. More information on both recommendations can be found in the “Program Implementation: Judiciary” section below.

Additionally, every organization stated that burnout among ACE attorneys and staff is a real challenge to retention. Many organizations are implementing wellness programs and working to allow ACE attorneys and staff to work on other types of cases to limit their exposure and burnout. Additionally, MLSC is aware of this issue and is also offering support to their grantees and their attorneys and staff through grant awards targeted specifically towards increasing existing staff salaries; support of the Equal Justice Works Housing Justice fellowship program (for more information on the fellowship program, see below); and WeCare, an extended cohort-based anti-trauma and resiliency wellness program.

The Task Force applauds and supports these efforts to reduce burnout and help retain the talented attorneys and staff working hard on the ACE Program every day. We also learned more about efforts to strengthen the pipeline of attorneys who can help address capacity issues in the future. The Task Force received written testimony from The University of Baltimore School of Law and the University of Maryland Francis King Carey School of Law about their respective efforts to train law students in ACE law and expose them to this legal work in the hopes that they may enter the field upon graduation. In addition, the Task Force received written testimony from Equal Justice Works, which operates a Housing Justice Program that mobilizes lawyer and community organizer Fellows to provide direct legal services, education and outreach, and impact litigation to advance the rights of renters and hold bad-actor landlords accountable.

The University of Baltimore School of Law runs a Housing Justice Fellowship Program which is funded by way of an MLSC ACE-funded grant. In FY 2024, the Program funded seven student fellowships for 2,062 hours of work at the following agencies: CASA de Maryland, Pro Bono Resource Center, Civil Justice, and Community Legal Services of Prince George's County. One of those fellows is now employed as a law graduate at the Pro Bono Resource Center. The school also had a number of other students doing housing work at Maryland Legal Aid and its affiliate agency, Maryland Center for Legal Assistance, who were funded through other sources or were paid directly by MLA. Those students worked another 1,340 hours on housing-related cases. One of these students has been offered a position as a staff attorney at Maryland Legal Aid following her graduation in 2025. Another 2024 graduate is also working at the Pro Bono Resource Center.

Meanwhile, the University of Maryland Francis King Carey School of Law runs an Evictions Prevention Clinic which has been in operation since January of 2023 and is funded by way of an

MLSC ACE-funded grant. Each semester, the Clinic enrolls eight new students in their seminar and pre-trial intake practice. In total, 10 students each semester practice law defending ACE-eligible clients under the supervision of the professors running the Clinic.

Professors from the University of Maryland noted that, as a practical matter, student debt and the salaries available to those working in ACE law fields are deterrents to students entering the workforce. They worry about being able to pay down their debt and manage costs of living on the salaries available. Furthermore, with federal student loan forgiveness programs under threat, many have concerns about committing to a future of uncertain financial security. These concerns further underscore MLSC's efforts to increase salaries of ACE attorneys and staff.

Finally, the Equal Justice Works Housing Justice Program mobilized 11 legal fellows and four organizer fellows to work at Maryland-based legal services organizations over a two-year period, from August 2022 to July 2024. To date, Equal Justice Works fellows have provided housing-related direct legal services to 3,359 Maryland households comprised of more than 8,150 low-income individuals. This fellowship is unique in that it provides a more wrap-around approach to ACE-related cases by utilizing their organizer fellows to connect tenants to attorneys, including their legal fellows, and other community organizations, partners, and resources, to provide more holistic support to those facing eviction proceedings. So far in Maryland, fellows have secured over \$1.57 million in economic benefits for households at risk of displacement.

Many of the civil legal aid organizations who have taken on fellows from Equal Justice Works have ended up hiring them at the end of their fellowship. However, Equal Justice Works noted that some organizations have turned away fellows or have had difficulty placing fellows with more rural organizations – who could really use the help. The Task Force discussed having Equal Justice Works work directly with these organizations to develop solutions to capacity and recruitment issues to ensure the continued growth and success of the highly valuable program.

Task Force recommendations based on these findings include:

- Civil legal aid organizations should work with Equal Justice Works to identify how to bring fellows to more rural locations.
- Civil legal aid organizations should form a work group or convening platform so that they can discuss implementation of the ACE law and share best practices regarding staffing, recruitment, retention, representation of clients, and to problem solve issues they face regarding the provision of legal services associated with the ACE Program.
- MLSC should continue their efforts to ensure competitive salaries for ACE attorneys and staff.

Program Implementation: Judiciary

The Task Force heard from the Chief Judge of the District Court of Maryland, John P. Morrissey, who provided updates about the Judiciary's implementation of the ACE law. The Task Force appreciates the significant strides made by the Judiciary in a variety of issues related to ACE Program implementation. Of particular note is the creation of a video explaining the ACE law and Program to be used during opening colloquy in jurisdictions and courthouses across the state as well as sharing landlord-tenant dockets with ACE providers in advance to assist them with planning and resource allocation.

The idea for the video came from a prior Task Force meeting with the Judiciary that was held to discuss the ACE Task Force's 2025 Report and included Chief Justice Matthew Fader and Chief Judge Morrissey. During that meeting, a proposed solution to the continued concern about the uneven nature of the judge's colloquy across the state that was meant to inform tenants of their right to access counsel. During this meeting, the Judiciary committed to creating a video to be played across the state during opening colloquy that would standardize the sharing of information about the ACE Program across the state. The Task Force has since learned that this video has been recorded and will be implemented in the near future. The Task Force commends the Judiciary for taking this important step and looks forward to seeing its impact.

Additionally, civil legal aid organizations and legal service providers have long noted the difficulties in adequately staffing ACE caseloads due the unpredictability of dockets across the state. Knowing how many eviction-related cases are on the respective dockets by jurisdiction can help these organizations better deploy their human infrastructure across the regions they serve and ensure that adequate staff is on hand to meet the need on a given day. This predictability can also contribute to more effective management of ACE caseloads generally. Having the Judiciary sharing dockets ahead of time with civil legal aid organizations had been previously suggested by Task Force members as a solution to this problem. The Task Force was pleased to learn that the Judiciary was already on the cusp of sharing dockets in advance and on a weekly basis with civil legal aid organizations. MLSC coordinated the names and contacts from each organization requesting the dockets and provided them to the Judiciary. The Task Force looks forward to learning more about the impacts of this effort over the coming year. Further issues related to eviction case docket sizes and management may also be managed by ongoing dialogue between ACE program legal service providers and administrative judges within each jurisdiction.

Additional bright spots regarding the Judiciary's ongoing implementation of the ACE Program in partnership with other stakeholders included positive feedback from ACE attorneys and civil legal aid organizations about the provision of space within or nearby courthouses to facilitate meeting with clients and other business operations related to the implementation of the ACE law. This has been an ongoing recommendation from the Task Force and members were heartened to

hear of this update along with the news from the Judiciary that space issues in Baltimore City – where most attorneys cited an issue finding space simply because of the nature of the old courthouses – should be alleviated as building on the City’s new courthouse nears completion. This new addition to the City’s court system includes many new upgrades and spaces that should increase the efficacy of the ACE Program’s implementation within the jurisdiction.

During testimony, the Judiciary shared some of the data that had been collected related to eviction proceedings. Importantly, they noted that eviction-related filings are around 400,000 per year in Maryland, and while Failure To Pay Rent Filings have decreased by about a third compared to pre-pandemic levels, which hovered around 650,000 cases (see Figure 3 below), eviction rates themselves are once again approach pre-pandemic levels with no accompanying drop (see Figure 4 below). This trend was confounding to the Judiciary and the members of the Task Force because it was hypothesized that there would be concurrent drop in evictions as there was with filings. This will be something to keep an eye on moving forward, especially as the filing fee increases across the state.

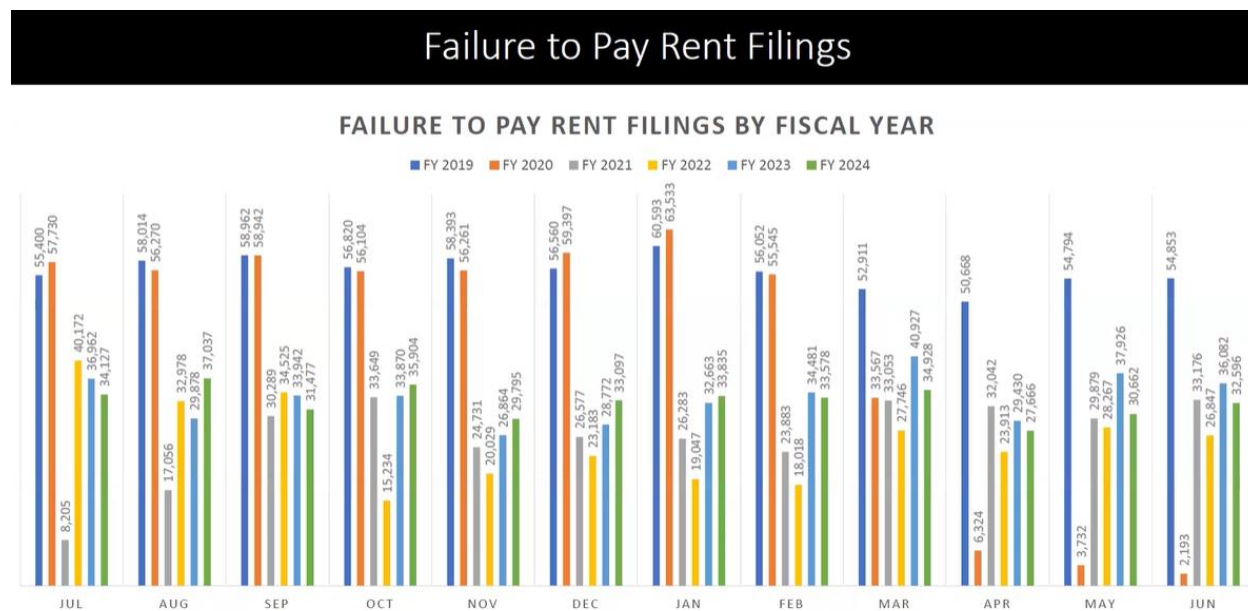


Figure 3: Monthly Failure to Pay Rent Filings by Fiscal Year, provided by the Judiciary

Evictions

EVICTIIONS BY FISCAL YEAR – BY MONTH

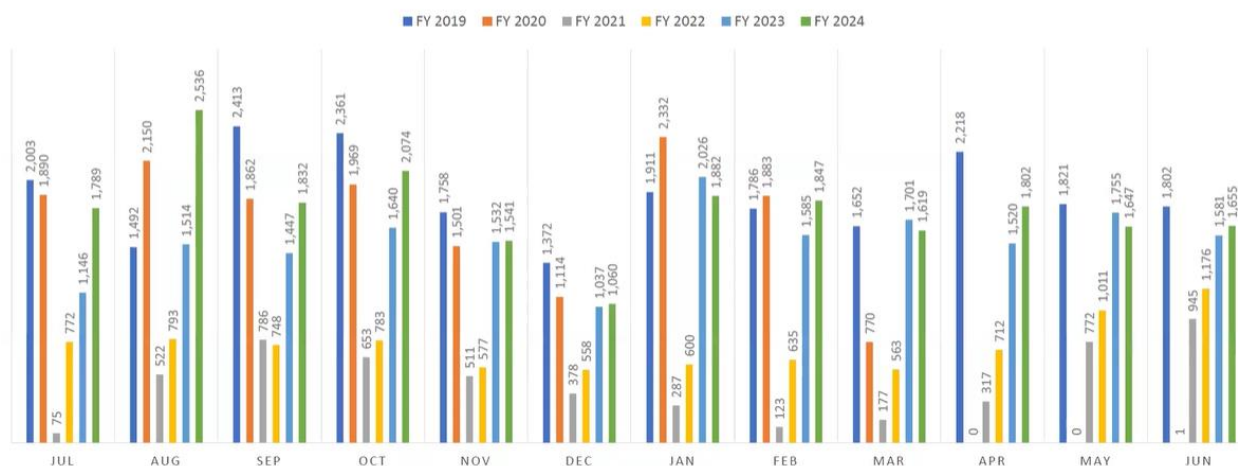


Figure 4: Monthly Evictions by Fiscal Year, Provided by the Judiciary

While the Task Force appreciates the Judiciary’s commitment to the ACE law and Program and especially commends the Judiciary for the strides made over the last year, there are still areas where improvements could be made to increase eligible tenants’ access to counsel in eviction proceedings and increase overall efficacy of the Program.

For instance, issues of statewide uniformity in the implementation of the ACE law persist because although the District Courts in Maryland are part of the same system and not independent of one another, there is still variation from jurisdiction to jurisdiction and even from courtroom to courtroom within the same courthouse. Administrative judges hold a high degree of discretion regarding the management of their dockets and courtrooms; however, this discretion can result in uneven implementation of a law and Program like ACE, which can directly impede the ability of eligible tenants to receive meaningful access to counsel and for legal service providers to meet the charge of the law.

During testimony from civil legal aid organizations, legal service providers explained the difficulties they sometimes face with variation in ACE law implementation across different courthouses and courtrooms, especially with visiting judges. It is sometimes the case, they explained, that they are treated as unprepared by judges who do not understand the nature of the ACE law and Program and the high-degree of same-day representation cases. This often means that attorneys are trying to learn the intricacies of a given client’s eviction case in the brief minutes before their proceeding. In written testimony provided by Maryland Legal Aid, one attorney cited an example where a judge yelled at her for requesting a recess so that she could confer with her client who was receiving same-day representation. As explained in the “Program Implementation: Staffing of the ACE Program and the Pipeline for Future Attorneys” section

above, there is a high degree of burnout among ACE attorneys due to the intense workloads and emotional burdens involved in this work. Situations like this risk further contributing to this burnout and resulting in ACE attorneys leaving the field, ultimately impeding the successful implementation of the Program.

Civil legal aid organizations further explained that the lack of time to meet with same-day clients – who make up the bulk of their caseload – ahead of their appearance before the judge is a challenge they often face in jurisdictions across the state. This can impede their ability to provide effective counsel and representation to their clients and results in uneven implementation of the Program across the state.

During testimony, the Judiciary explained that there is a need for administrative judges to maintain oversight and management of their respective courthouses and dockets. While it may be difficult to achieve, this transformational law necessitates a measure of standardization across the state to ensure meaningful access to counsel for those who need it.

As a tangible solution, Task Force members recommend the creation of a bench card that would provide an overview of the ACE law and Program that could be made available to every judge and in every courtroom. This bench card could help provide all judges with an understanding of the Program and the needs of the attorneys staffing it and help prevent the scenario outlined above.

Additionally, Task Force members discussed potential methods to build time into the docket to allow ACE attorneys an opportunity to meet with potential clients ahead of their proceedings and reduce the need for recess requests. The Task Force discussed potentially requesting that those facing eviction proceedings arrive at 8:30am, with the docket beginning at 9am to allow an announcement about the ACE Program or the video discussed above to be played during opening colloquy and remaining time ahead of the start of the docket be given to tenants to meet with ACE attorneys on sight.

Task Force members explained that such an approach often occurs in Baltimore City, where there are three Failure to Pay Rent dockets every day. Tenants are sent complaints/summonses that tell them to arrive at either 8:30am, 10:30am, or 1:00pm. ACE attorneys or judges normally make the first announcement about the ACE Program and attorney availability at 8:30am, 10:30am, and 1:00pm (i.e. when tenants are told to arrive), with the dockets actually starting at around 9:00am, 11:00am, and 1:30pm, respectively. This process can help provide tenants with the time needed to meaningfully access counsel ahead of their proceeding.

However, there was some hesitation expressed in having dockets start later than the time listed on a summons out of respect for litigants' time. So, as an alternative, administrative judges could

be encouraged to offer breaks after their introductory remarks to allow tenants time to access counsel in the courthouse.

Civil Legal Aid organizations also discussed the variability in time between filing and trial date across jurisdictions which can severely impede a client's ability to access counsel prior to their trial date and increase the burden on legal service providers in terms of same-day representation cases. The statute currently indicates that the time between filing and trial should be 5 days. In Anne Arundel County, where that timeline is strictly adhered to, advocates indicated that it was too short a time period to connect with an attorney prior to trial. In response to this issue, Task Force members recommended that the General Assembly extend the time between service of the complaint/summons and the trial date to 15 or even 30 days and until such a change is made, that the Judiciary continue to encourage the grant of postponements whenever possible to ACE attorneys and pro-se clients who seeking more time to secure counsel in eviction proceedings. While many judges grant such postponements, some do not, and the denial of such an initial postponement given this fast-paced, high-volume docket means that many income-qualified tenants would be unable to access high quality legal representation, particularly given the resource and capacity constraints described above.

Another issue cited by civil legal aid organizations and mentioned above in the "Program Implementation: Staffing of the ACE Program and the Pipeline for ACE Attorneys" section is the difficulty in effectively staffing the more rural districts across the state. These areas remain critically understaffed, and the courthouses are often far enough apart that attorneys cannot travel between locations to effectively provide representation. ACE attorneys raised the possibility of making remote hearings more accessible, especially in same-day representation cases, to allow attorneys to provide legal services to eligible tenants without needing to be at the courthouse. Members of the Judiciary explained that there is robust capacity for remote hearings across the state, but it currently requires an advance request in writing, which does not effectively address the needs of same-day clients. The Judiciary should work with ACE attorneys to develop a workable process for these instances at least until these regions are staffed at capacity.

Task Force recommendations based on these findings include:

- The Judiciary should work with civil legal aid organizations and administrative judges to identify the best way to build extra time into the docket, either at the top of each docket as is done in Baltimore City, or to create a break after the judge takes the bench, to provide time for eligible tenants to meaningfully connect with counsel.
- The Judiciary should work with MLSC to create a bench card describing the ACE law and Program to be made widely available in every courtroom in every jurisdiction.
- To address issues that may arise within a given jurisdiction, the District Court should facilitate and ensure that administrative judges are meeting with civil legal aid

organizations quarterly to address any issues associated with the ACE Program's implementation in their jurisdictions, including docket sizes.

- The General Assembly should extend the time between service of the complaint/summons and the trial date required by law to 15-30 days.
- The Judiciary should continue to encourage the grant of postponements whenever possible to ACE attorneys and pro-se clients in eviction proceedings.
- The Judiciary should work with legal service providers and civil legal aid organizations to develop a mechanism for remote hearings in same-day representation cases.

Program Implementation: ACE Program Information in Notices and Beyond

One of the ongoing challenges faced by the Task Force and those implementing the ACE Program across the state is how to most effectively and clearly alert eligible tenants facing an eviction proceeding about (1) their right to access counsel, and (2) how to access that counsel via the Coordinated Intake System (for more information on the CIS, see the “Program Implementation: Coordinated Intake” section below).

The Task Force is acutely aware that receiving either a Notice of Intent to File or a summons regarding an eviction proceeding can result in immense stress for tenants. The Task Force is also mindful that not all tenants take in information in the same manner – some may be more or less averse to technology, not have broadband access, or they may face language barriers, etc. As such, the Task Force strongly recommends that information about the ACE Program be clearly available in as many places as possible in order to maximize the opportunities for uptake of the information by eligible tenants.

More information about a broader communications strategy can be found in the “Program Implementation: Communications, Outreach, and Education” below, but the Task Force wanted to specifically consider the ways in which information is transmitted to tenants on court notices and other official eviction-related documents – such as letters sent by Public Housing Authorities.

Previous Task Reports had recommended language be used in official court notices, leases, and eviction related documents received by tenants. This year, the Task Force heard from tenant advocates and other stakeholders that the language recommended for use on those forms and notices isn't as clear or effective as it could be.

In response to this feedback, the Task Force hosted a small working group made up of tenant advocates and ACE attorneys to develop a clearer message that communicates effectively to

tenants about (1) the ACE law and Program and (2) how to find out if they're eligible for **free** legal representation.

Through discussion, the workgroup identified the following language:

- “Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

The workgroup also identified the need to make this text easy to find and see within a legal document full of jargon that may overwhelm tenants and potential clients. Recommendations to achieve this end included highlighting the text whenever it appears on any form with a colorful textbox or icon that draws the eye immediately to it.

Ultimately, the Task Force recommends that this language replace prior recommended language and be added to all eviction related forms, letters, and other eviction related documents. The Task Force has compiled some of the forms this would apply to and attached them to the end of this report (see Addendum III, pgs. 59-80); however, this is not an exhaustive list, and we encourage stakeholders who are sending notices, including the Judiciary, Public Housing Authorities, and private landlords to develop an exhaustive list and ensure inclusion of this language.

In addition, to maximize the potential uptake of this information, the Task Force recommends that this language be included in all leases – again with a text box or icon that draws the eye – and be displayed in leasing offices and centrally located message boards or other community areas within apartment buildings or complexes. For the latter locations, i.e., leasing offices and community spaces, this message should be shared along with a half-page document or poster that shares more information about the ACE law and Program and a QR code to MLSC’s pamphlet that is available in 5 languages.²⁴ The pamphlet is also included at the end of this report in Addendum I, pg. 48, for reference.

Finally, the Task Force has long stressed the importance of ensuring that all landlords be required to use the District Court’s form DC-CV-115 to provide tenants the requisite 10-day Notice of Intent to File and not permitting the use of forms that are “substantially similar” to it. The Task Force was pleased to hear from the Judiciary that during a November 2024 meeting of the Rules Committee, language was adopted that would require the notice be in the form designed by the State Court Administrator, i.e. form DC-CV-115. This rule change is pending formal approval by the Supreme Court of Maryland.

²⁴Pamphlet is available here: https://legalhelpmd.org/wp-content/uploads/ACE-Brochure_WEB_final-2022.08.10-eng.pdf and in Addendum I of this report on pg. 48.

Task Force recommendations based on these findings include:

- The Judiciary should update form DC-CV-115 to include the following language prominently highlighted on the form:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- All forms related to eviction filings and notices made by the Judiciary, PHAs, and landlords, including the following list:
 - 10-day notice of failure to pay rent
 - All failure to pay rent forms
 - Tenant holding over forms
 - Breach of lease forms
 - Intent to file eviction forms
 - All 30-day lease termination forms
 - All 60-day lease terminations forms

should be updated to include the following language about the ACE law and Program with design elements such as color blocking, text boxes, or icons that draw attention to this language:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- Housing providers and PHAs should make information about the ACE law and Program available on half page notices, postcards, or posters with QR codes to the MLSC pamphlet in leasing offices and other communal spaces.
- All landlords, whether large or small, should include the following language in their leases with design elements such as color blocking, text boxes, or icons that draw attention to this language:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- For larger landlords, associations like MMHA and AOBA should help facilitate and effectuate the use of the above language in all leases as outlined.

- MLSC should continue to build relationships with PHAs to encourage further integration of the ACE law and Program.

Program Implementation: Coordinated Intake

Early in the implementation process of the ACE Program, the Task Force recognized the importance of a centralized Coordinated Intake System (“CIS”) that would help eligible tenants seeking legal support connect to civil legal aid organizations via a single coordinating entity, as opposed to performing research and outreach to individual legal services providers on their own. Part of the aim of the CIS is to modernize and simplify the user experience and lift the burden off tenants’ shoulders during a time of immense stress. The CIS also allows for tracking and data collection regarding whether or not tenants reaching out for assistance via the system received it.

MLSC selected the United Way of Central Maryland (“UWCM”), who in turn partnered with Civil Justice, Inc. and A2J Tech, to develop the first-of-its-kind CIS in Maryland. A2J Tech did the work behind the scenes, namely developing and maintaining the technology and architecture for the CIS. Civil Justice works directly with the civil legal aid organizations to assess each organization’s capacities and develop the questions and logic trees for the guided intake; provides legal expertise and training to UWCM staff; and reviews difficult cases or assists when urgent action is needed. While this system works well, the Task Force encourages Civil Justice to continue its efforts to train those managing the intake systems to increase their familiarity with the technical legal issues they are working with to further enhance the efficacy of the CIS as a whole.

UWCM runs the centralized telephone number for tenants, 2-1-1, through which it screens and interviews tenants, reviews online intakes and connects tenants with the civil legal aid organizations best suited to meet their needs. A flow chart representing this process is below in Figure 5.

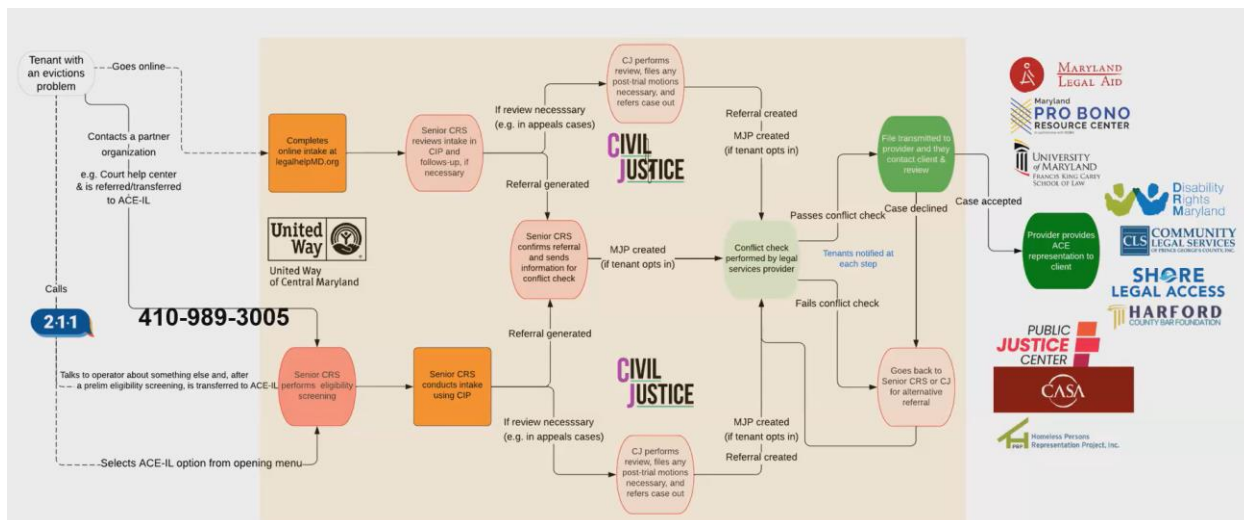


Figure 5: A flow-chart demonstrating the Coordinated Intake System, provided by United Way of Central Maryland

During their testimony before the Task Force, UWCM explained that they performed a pilot of the CIS in Baltimore City from October 2023 – May 2024, with a soft launch expanded across the state on May 6, 2024 – which was ahead of their scheduled timeline. As of September 9, 2024, UWCM has extended the operating hours of the CIS to 8pm from a prior cut-off time of 3pm, with operators taking calls until 7pm, but remaining on the line with clients until 8pm. This was done to maximize the number of clients being serviced by the CIS.

From October 1, 2023 – October 4, 2024, there were 4,509 cases opened by the CIS, with 3,820 cases being eligible for legal services under the ACE Program and 689 being ineligible. During the CIS process, 3,063 cases received referrals to other social services resources outside of the ACE Program. This amounts to about one-third of the cases that receive representation prior to the day of court, which tracks with what was reported by civil legal aid organizations. Increasing the number of people who contact the CIS as soon as they receive a summons will ensure more people get connected to an attorney earlier than the day of their trial, while also allowing civil legal aid organizations to more effectively manage court dockets and caseloads. More information regarding efforts related to ACE law communications, outreach, and education can be found in the “Program Implementation: Communications, Outreach, and Education” section below.

In Figure 6 below, this data is represented in a graph provided by UCWM which shows the growth of the CIS program throughout the course of the year. In that graph, three referral types are captured: those who call 211 in blue; those who use the online application platform in red; and those who are referred to either 211 or the website via the Maryland Justice Passport (help centers funded by the Maryland Judiciary) in yellow.

Weekly ACE-CIS Cases October 1, 2023 – October 4, 2024

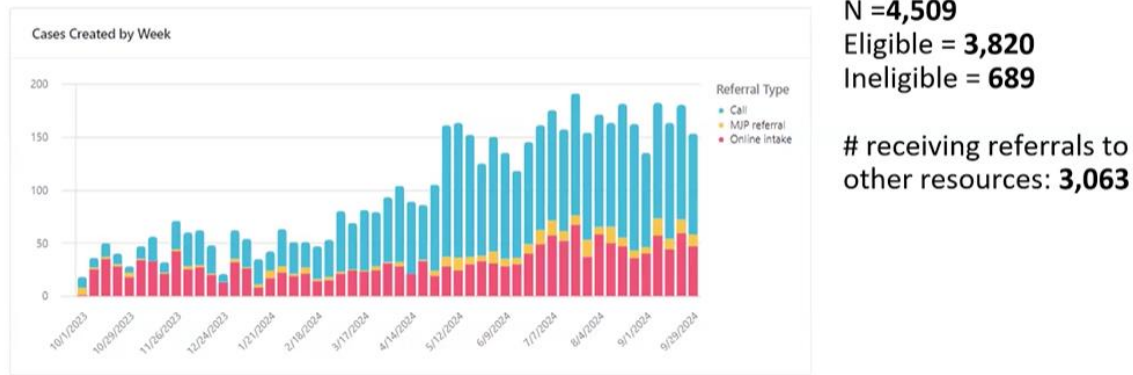


Figure 6: Graph showing the weekly number of ACE-CIS Cases from October 2023–October 2024, Provided by UCWM

UCWM and Civil Justice explained during their testimony that the vast majority of cases they see are Failure To Pay Rent cases and that the reason cases are most often rejected by the CIS (i.e. not referred to a civil legal aid organization) is because they have contacted the CIS after receiving a judgment or they have called too close to their court date, and they cannot be referred in time. In those instances, they may refer a client to resources such as the postponement packet created by Maryland Legal Aid or other resources provided at the courthouse, including ACE attorneys who may be on site to handle same-day representation cases.

UCWM also reported that the highest number of cases are being seen in Baltimore City, followed by Baltimore County, Montgomery County, Prince George’s County, and Anne Arundel County and that, on average, they are seeing an above 80% acceptance rate of eligible cases by civil legal aid organizations. Reasons cited for rejection of eligible cases by civil legal aid organizations include things like referral to another civil legal aid organization with more specific knowledge of a particular legal issue, conflicts of interest, and capacity issues. This issue of capacity is one that the Task Force discussed above in the “Program Implementation: Staffing of the ACE Program and the Pipeline for Future ACE Attorneys” section and remains a concern for the Task Force.

Additionally, at this time there is no clear data showing the number of eligible tenants who want to access legal services but are unable to do so across the state. This is further discussed in the “Program Review: Gaps in the Data” section below.

Task Force recommendations based on these findings include:

- Civil Justice, Inc. and United Way of Central Maryland should continue their efforts to train the individuals operating the CIS in the technical aspects of housing and eviction law to enhance the efficacy of the CIS.

Program Implementation: Sheriffs in Baltimore City

Sheriffs and constables across the state are crucial in implementing the ACE law. Not only do they help ensure that tenants receive critical information about the ACE law and Program along with their eviction notice, they also collect and share important data with the Judiciary that helps stakeholders understand the broader evictions picture in the state.

During their hearings process, the Task Force heard from representatives of the Baltimore City Sheriff's Office. The Task Force was heartened by their human approach to the ACE Program, those facing evictions, and their general view and approach to the people and communities they serve.

As stated elsewhere in this report, Baltimore City faces a high volume of eviction-related filings, and the Task Force appreciates having a strong partner in the Baltimore City Sheriff's Office, which should be used as a model for other Sheriff and Constable Offices across the state moving forward.

One area where the Sheriff's Office expressed some confusion regarding their role in carrying out the ACE law was in relation to the provision of the MLSC-created pamphlet. Section 8-905 of the ACE law says the following:

“A sheriff or constable shall provide a copy of the pamphlet described under subsection (a) of this section in addition to the process served on a tenant, an assignee, or a subtenant in accordance with the following provisions of this article:

- (1) An eviction proceeding for a failure to pay rent under § 8-401 of this title;
- (2) An eviction proceeding for a tenant holding over under § 8-402 of this title; and
- (3) An eviction proceeding for a breach of lease under § 8-402.1 of this title.”

The Office stated that the language left most sheriffs unclear about whether they were to mail the pamphlet or provide it in person, which resulted in an uneven provision of the pamphlet across the jurisdiction. However, in 2021, the Maryland Office of the Attorney General issued an

opinion stating that the pamphlet should be provided **both** in mail and in person. A copy of this opinion is available at the end of this report in Addendum II, pgs. 49-58.

MLSC re-shared the opinion with the Baltimore City Sheriff's Office, who is now following the instruction of the OAG opinion and providing the pamphlet to tenants both by mail and in person. The Task Force discussed sharing this same opinion to all sheriffs and constable offices and the Maryland Sheriff's Association again to ensure that all sheriffs are aware of their duty under the law.

Finally, the topic of data collection by Sheriffs and Constables across the state was discussed by Task Force members. Each jurisdiction takes their own approach and, given that these offices report the data they collect to the Judiciary, it is important that there is consistency across the state. As such, the Task Force should work with the Sheriff's Association to ensure uniformity in the data collected and shared with the Judiciary.

Task Force recommendations based on these findings include:

- All Sheriffs and Constables should share the MLSC pamphlet both by mail and in person to be in compliance with the ACE law.
- The Task Force should work with the Maryland Sheriff's Association to make contact with all 24 Sheriff and Constable Offices throughout the state to share the OAG opinion and ensure that all sheriffs and constables are sharing the MLSC pamphlet both by mail and in person.
- The Task Force should work with the Maryland Sheriff's Association to ensure uniformity across all jurisdictions in Maryland regarding the data collected by Sheriff and Constable Offices and shared with the Judiciary.

Program Implementation: Communications, Outreach, and Education

MLSC provided an update regarding their outreach and education efforts for FY 2024 in written testimony to the Task Force: "During FY24, MLSC contracted with nine community groups to perform tenant outreach and education across the state. Outreach and education efforts were purposefully staggered behind the expansion of legal services so that legal services providers could establish their services and ensure their capacity to serve new tenants referred by the outreach providers. Outreach contractors met six times during FY24 to plan, develop shared messaging, and share best practices.

The contractors use a variety of outreach methods – including door-knocking, tabling at community events, partnering with schools and libraries, digital marketing, and more – to inform tenants of their rights and of the existence of the ACE Program. Through both targeted efforts

and outreach at established community events, outreach contractors provided information to more than 115,000 tenants in FY24. The contractors have also established or strengthened relationships with the legal services providers to offer know-your-rights presentations and streamlined referrals.”

The Task Force heard from outreach and education contractors from Economic Action Maryland and the Montgomery County Renters Alliance who reinforced MLSC’s written testimony, emphasizing the importance of meeting potential clients where they are and utilizing grassroots communications strategies and trusted messengers to spread the word about the ACE Program.

The importance of trusted messengers – particularly those with lived experience in relation to eviction or landlord-tenant issues – was reinforced by civil legal aid organizations as an effective strategy. This highlights the need to ensure that adequate tenant voices are being heard and incorporated throughout the implementation, evaluation, and future growth of the ACE Program. The Task Force, MLSC, and Stout should work to ensure that tenant voices are being incorporated into the ACE Program.

In addition to the above efforts, during their time with the Task Force, the civil legal aid organizations shared their individual approaches to communicating information about the ACE Program and their services to the general public and potential clients. During these conversations, it surfaced that each individual organization is developing their own communications materials that are specific to their organization’s implementation of the ACE Program, in the absence of a centralized, cohesive communications plan or strategy for the ACE Program as a whole.

Additionally, while some larger organizations are testing messages and methods to target audiences by geography, housing type, income level, and other factors, many smaller organizations lack the resources to do the same. This dynamic occurs similarly within court buildings, where legal service providers utilize banners, tablecloths, and print materials specific to their organizations. organization on their own, instead of working together to develop best practices.

While the Task Force commends these efforts to get the word out about the Program and especially appreciates the efforts to develop targeted messaging, it will likely be even more effective to create a coordinated, unified communications strategy that centers around a broader, recognizable ACE Program brand.

In previous years, the Task Force has recommended that MLSC put out an RFP for an organization who can coordinate communications about the ACE Program across the state. During their testimony, MLSC explained that they have consciously decided not to do this due to

the costs associated and with a preference for providing those funds directly to the legal aid organizations providing services. However, the Task Force still sees a need for a coordinated communications strategy that creates a strong, recognizable centralized brand for ACE; a coordinated dissemination strategy that includes high- and low-tech approaches; and an evaluation of the efficacy of different approaches and methods to ensure effective strategies are being replicated, shared, and scaled.

One of the outreach contractors mentioned the importance of ubiquity as a communications strategy to increase public knowledge about the Program. And a representative from the Judiciary suggested adopting a public health approach to communications to achieve this same result. Such an approach would rely on primary, secondary, and tertiary communications strategies:

- Primary: a general communications strategy to build awareness and understanding of the Program across the entire state, i.e. achieving ubiquity in messaging.
- Secondary: a more targeted communications strategy focused on so called evictions “hot-spots” where the most at-risk tenants live as informed by available data – this would where the bulk of funding and attention should go and could include advertisements on the internet, social media, print media, radio, buses, and leaving informational pamphlets with QR codes to resources in places where tenants are most likely to visit such as libraries, churches, food pantries and grocery or corner stores, community centers, etc. with the aim of meeting eligible clients where they are.
- Tertiary: a hyper-targeted approach to reach those who have already received an eviction-related filing or a notice of intent to file. This would include ensuring that MLSC pamphlets are being distributed as required by law; that every form a tenant receives related to their filing has appropriate and accurate language about the ACE Program; signage in the courthouse about the Program and how to access legal services; future exploration of how to develop and utilize a Notice of Intent Repository to perform directed outreach – perhaps by 211, etc.

Thinking about communications in this public-health-informed, tiered strategy can inform future communications strategies, data analysis for communications, and resource deployment.

The Task Force also considered how to communicate information about the ACE law in written form in all notices, forms, leases, and other eviction-related documents that tenants receive; more information on this effort, including specific recommendations and updated language can be found in the “Program Implementation: Ace Program Information in Notices and Beyond” section above.

Task Force recommendations based on these findings include:

- MLSC should work with civil legal aid organizations the organizations performing outreach and education to create a coordinated communications strategy based on the recommendations in this report.
- The Task Force, MLSC, Stout, and any other data collecting organization should ensure that adequate opportunities for tenant voice and representation are being incorporated in the ACE Program – this includes representation on the Task Force; evaluation efforts; and in the growth of the ACE Program in years to come.

Program Implementation: Housing Providers, including Public Housing Authorities

The Task Force met with Public Housing Authorities (“PHAs”) from Baltimore City and Anne Arundel County as a part of their hearing process. Throughout the discussion, the Task Force learned of the notice process that PHAs uses with their tenants for eviction-related proceedings, which are usually sent in the form of PHA-created letters that are sent directly to tenants, unless there are court-mandated forms.

In order to build awareness about the ACE law and Program and ensure uniformity across the state regardless of the type of housing provider, the Task Force recommends inclusion of the suggested language shared here and explained in greater detail in the “Program Implementation: ACE Program Information in Notices and Beyond” section above in all PHA-created letters and notices related to eviction proceedings:

- “Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

As explained the “Program Implementation: ACE Program Information in Notices and Beyond” section, this language should also be included in all eviction-related forms used by housing providers leases – with a text box or icon that draws the eye – and in leasing offices and centrally located message boards or other community areas within apartment buildings or complexes. For the latter locations, i.e. leasing offices and community spaces, this message should be shared along with a half-page document or poster that shares more information about the ACE law and Program and a QR code to MLSC’s pamphlet that is available in 5 languages.²⁵ The pamphlet is also included at the end of this report in Addendum I, pg. 48, for reference.

²⁵Pamphlet is available here: https://legalhelpmd.org/wp-content/uploads/ACE-Brochure_WEB_final-2022.08.10-eng.pdf

The Baltimore City PHA also mentioned beginning to share the MLSC created pamphlet with tenants during their orientation, which the Task Force commends, however, MLSC notes that sharing of the pamphlet will likely be more effective when they are shared with residents who receive an eviction notice and with voucher holders when they receive a termination notice.

MLSC also shared that they are undertaking efforts to continue building relationships with PHAs across the state to increase awareness and understanding about the ACE law and Program and the PHAs role in helping tenants access counsel in eviction proceedings.

Finally, the Task Force should continue efforts to share these recommendations with housing providers in an ongoing basis through centralized housing bodies such as the Apartment and Office Building Association of Metropolitan Washington (AOBA) and the Maryland Multi Housing Association (MMHA), of which two Task Force Members are currently members.

Task Force recommendations based on these findings include:

- PHAs should share MLSC’s pamphlet with residents who receive an eviction notice and with voucher holders who have received a termination notice.
- All forms related to eviction filings and notices made by the Judiciary, PHAs, and landlords, including the following list:
 - 10-day notice of failure to pay rent
 - All failure to pay rent forms
 - Tenant holding over forms
 - Breach of lease forms
 - Intent to file eviction forms
 - All 30-day lease termination forms
 - All 60-day lease terminations forms

should be updated to include the following language about the ACE law and Program with design elements such as color blocking, text boxes, or icons that draw attention to this language:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- Housing providers and PHAs should make information about the ACE law and Program available on half page notices, postcards, or posters with QR codes to the MLSC pamphlet in leasing offices and other communal spaces.

- Landlords should include the following language in their leases with design elements such as color blocking, text boxes, or icons that draw attention to this language:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- MLSC should continue to build relationships with PHAs to encourage further socialization of the ACE law and Program.
- The Task Force should work with Apartment and Office Building Association of Metropolitan Washington (AOBA) and the Maryland Multi Housing Association (MMHA) to socialize these recommendations and understanding of the ACE law and Program more generally.

Program Review: Data Collection

Now that the ACE law and Program’s implementation is well underway throughout the state, robust data sets are now being developed and maintained about evictions in Maryland by a number of organizations, including the Judiciary, DHCD, UCWM, MLSC²⁶, and Stout. Much of this data has been shared throughout this report.

In fact, during their testimony before the Task Force, DHCD updated Task Force members on their efforts to enact the eviction data requirements of the recently passed Renters Rights and Stabilization Act of 2024,²⁷ which will include collection of the following data points as of October 1, 2025:

- Landlord name
- Street address, city (already receiving this from District Court, but now codified)
- Date of filing and type of action
- Tenant appearance at hearing
- Tenant legal representation at hearing
- Date of entry for judgment for possession
- Whether right of redemption was foreclosed at time of judgment
- Date warrant was issued
- Outcome of warrant, including eviction, cancellation, expiration, other outcome

²⁶ See Addendum IV for MLSC report on pgs. 81-84.

²⁷ More information can be found here: <https://dhcd.maryland.gov/TurningTheKey/Documents/HB693-FAQ.pdf> and here: <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0693?ys=2024RS&search=True>

The Task Force and stakeholders within the ACE community look forward to seeing how these new data points increase our understanding of evictions in Maryland. During their testimony on the Renters Rights and Stabilization Act of 2024,²⁸ DHCD noted that they are currently required to produce a report to the Maryland General Assembly on August 31 of each year. They further explained that this date means that their reports will not include full data sets and analysis for each Fiscal Year, because they often receive data some months after it is collected. DHCD explained that a December 1 due date would allow them to receive all data for each Fiscal Year by October and allow time for robust analysis prior to report submission. Having complete data sets and analyses can help stakeholders, policymakers, and advocates produce more effective recommendations to address issues in the ACE Program's implementation surfaced by the data, so the Task Force fully endorses this request and recommendation to the General Assembly.

Finally, the Task Force wants to be sure that, as data is collected and maintained by various organizations across the ACE Program that there is adequate data/information sharing and comparative analysis to help provide a complete picture of evictions and ACE Program implementation in Maryland, especially as the Task Force seeks to understand and address current gaps in the knowledge about both evictions and ACE implementation across the state.

Task Force recommendations based on these findings include:

- The Maryland General Assembly should change the due date in the Renters Rights and Stabilization Act for DHCD's annual report from August 31 to December 1.
- Organizations collecting and analyzing data should form a workgroup to ensure information sharing to maximize findings and knowledge regarding the ACE Program across the state.

Program Review: Gaps in the Data and ACE Program Review

Despite the robust information coming in about evictions and the ACE Program from multiple organizations, there are still gaps in the knowledge regarding the ACE Program's implementation in Maryland.

The biggest gap in understanding is how many tenants facing an eviction in Maryland are eligible for legal services under the ACE law and want to access those services but are unable to do so and why. Data from MLSC and Stout show that 9,196 cases were closed by ACE attorneys in FY 2024. However, data from the Judiciary shows that over 400,000 eviction notices were

²⁸ More information can be found here: <https://dhcd.maryland.gov/TurningTheKey/Documents/HB693-FAQ.pdf> and here: <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0693?ys=2024RS&search=True>

filed this year. At this stage it is unclear how many of the filings outside of the 9,196 cases closed by ACE attorneys represent income-eligible tenants that may want to access counsel and why they are unable to do so, i.e. is it a lack of knowledge and/or a capacity or insufficient number of staff to meet the need?

To address this gap in the data, Task Force members discussed having Stout perform a needs assessment for the state of Maryland that identifies: (1) the gaps in legal service provision where eligible tenants who want to access counsel are unable to; (2) the causes of these gaps in service provision; and (3) what it will take to meet these needs moving forward. These findings will be crucial to inform program and policy recommendations that can ensure the ACE Program reaches full implementation across the state.

Another gap in the data concerns the efficacy of ongoing communications and outreach strategies. It is unclear whether current efforts are reaching intended audiences. During their testimony, MLSC raised some of the challenges with data collection in this space, i.e., it is difficult to tie someone's knowledge about the ACE law and Program to a specific advertisement or outreach effort, especially given that most civil legal aid organizations and outreach organizations contracted by MLSC are each creating and employing their own communications strategies without centralized coordinated effort across the ACE community. Creating more coordinated communications strategies are discussed above in the "Program Implementation: Communications, Outreach, and Education" section above. But in terms of data collection, the Task Force discussed that tenants in the ACE Program are asked during the intake process whether they had heard of the ACE law and Program before arriving to court. While an imperfect proxy for analyzing communications, this provides an initial starting point to understand if target populations are being reached by current communications efforts. Future efforts to collect data related to communications could include asking clients where they heard about the ACE law or Program with a menu of options to select from including things like radio, internet, social media, from a friend, community organization, or other with an option for them to share whether and how they learned of it.

During the Judiciary's time with the Task Force, it was also suggested that the Judiciary begin collecting and sharing data regarding when and where continuances are being granted or not granted in jurisdictions across Maryland and how many people are being represented by counsel in an eviction proceedings as opposed to remaining self-represented in their monthly reports. This information would help civil legal aid organizations have a better sense of the general number of eviction proceedings and the potential need for access to counsel across the state and allow them trouble shoot ACE Program issues in real time.

Finally, the Task Force discussed the importance of centering equity in its work and in the work of the ACE community. In order to ensure that the ACE Program is being administered in an

equitable way, data that analyzes equity is crucial. While there is some limited information on these aspects so far, the Task Force encourages those collecting and analyzing data to explore more avenues to center equity in their efforts.

Task Force recommendations based on these findings include:

- Stout should work with MLSC and civil legal aid organizations to develop and perform a needs assessment in Maryland that identifies: (1) the gaps in legal service provision where eligible tenants who want to access counsel are unable to; (2) the causes of these gaps in service provision; and (3) what it will take to meet these needs moving forward.
- Stout should work with MLSC and civil legal aid organizations to identify methods to collect more targeted data regarding whether clients had heard of the ACE law or Program prior to arriving to court and potentially where they heard about the ACE law and Program.
- The Judiciary should collect and share data regarding when and where continuances are being granted or not granted in jurisdictions across Maryland and how many people are being represented by counsel in an eviction proceeding as opposed to remaining self-represented in their monthly reports.
- All organizations collecting data should consider how to better collect, share, and analyze information related to equity, including opportunities to collect more complete demographic data on participants in the Program, and analyses that allow for more targeted analysis of more than one demographic quality at a time (i.e. identifying individuals affected by both their racial identity and gender, or by age and race, etc.).

Task Force Directions FY 2025/2026

Throughout the hearing process, the Task Force heard compelling testimony about potential areas of inquiry that require additional research and consideration before recommendations can be made. Of particular importance were the creation of a Notice of Intent repository that could be used to not only track important data related to evictions, but also provide an avenue for more targeted outreach to connect eligible tenants to ACE attorneys without relying on them to find the information and reach out on their own. More work is needed to understand what this sort of repository requires in terms of human infrastructure and financial support, but there is substantial interest in exploring this opportunity.

Additionally, the Task Force heard compelling testimony about pre- and post-filing diversion programs that could be enacted in Maryland in complement to the ACE Program. More information is needed to understand the impacts of such programs and the logistics of operating

them within the state, but the Task Force hopes to continue exploring these options in the FY 2025.

Finally, as recommended earlier, the Task Force is recommending that Maryland General Assembly sunset the Access to Counsel in Evictions Task Force as outlined in the ACE law. Now that the Program is well underway and a pathway towards permanent funding has been established, the need for a formal body to produce annual reports no longer exists. However, Task Force members have identified the value of having a birds-eye view of the implementation of the whole Program and convening stakeholders, implementers, and other members of the ACE community on a regular basis to share best practices and solve problems with the ACE Program as they arise. As such, the Task Force plans to engage the ACE community to identify a pathway towards a less formal convening platform for these conversations to continue after January 1, 2026.

RECOMMENDATIONS BY GROUP

The Maryland General Assembly

- Lift the sunset on the funding of \$14 million annually to MLSC for the ACE Program from the state's abandoned property fund.
- Provide additional supplemental funding to MLSC for the ACE Program to meet the projected annual budget of \$20-24 million to ensure successful ongoing implementation of the ACE law.
- Sunset the Task Force on January 1, 2026, after it produces its fifth and final report.
- Change the due date in the Renters Rights and Stabilization Act for DHCD's annual report from August 31 to December 1.
- Extend the time between service of the complaint/summons and the trial date required by law to 15-30 days.

The Judiciary

- Work with civil legal aid organizations and administrative judges to identify the best way to build extra time into the docket, either at the top of each docket as is done in Baltimore City, or to create a break after the judge takes the bench, to provide time for eligible tenants to meaningfully connect with counsel.
- Work with MLSC to create a bench card describing the ACE law and Program to be made widely available in every courtroom in every jurisdiction.
- To address issues that may arise within a given jurisdiction, the District Court should facilitate and ensure that administrative judges are meeting with legal services providers

quarterly to address any issues associated with the ACE Program's implementation in their jurisdictions, including docket sizes.

- Work with legal service providers and civil legal aid organizations to develop a mechanism for remote hearings in same-day representation cases.
- Update form DC-CV-115 to include the following language prominently highlighted on the form:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- All forms related to eviction filings and notices made by the Judiciary, PHAs, and landlords, including the following list:
 - 10-day notice of failure to pay rent
 - All failure to pay rent forms
 - Tenant holding over forms
 - Breach of lease forms
 - Intent to file eviction forms
 - All 30-day lease termination forms
 - All 60-day lease terminations forms

should be updated to include the following language about the ACE law and Program with design elements such as color blocking, text boxes, or icons that draw attention to this language:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- Continue to encourage the grant of postponements whenever possible to ACE attorneys and pro-se clients in eviction proceedings.
- Collect and share data regarding when and where continuances are being granted or not granted in jurisdictions across Maryland and how many people are being represented by counsel in an eviction proceeding as opposed to remaining self-represented in their monthly reports.

Sheriffs and Constables

- Share the MLSC pamphlet both by mail and in person to be in compliance with the ACE law.

MLSC

- Continue efforts to ensure competitive salaries for ACE attorneys and staff.
- Work with civil legal aid organizations the organizations performing outreach and education to create a coordinated communications strategy based on the recommendations in this report.
- Work with the Judiciary to create a bench card describing the ACE law and Program to be made widely available in every courtroom in every jurisdiction.
- Continue to build relationships with PHAs to encourage further socialization of the ACE law and Program.
- Ensure that adequate opportunities for tenant voice and representation are being incorporated in the ACE Program – this includes representation on the Task Force; evaluation efforts; and in the growth of the ACE Program in years to come.
- Work with Stout and civil legal aid organizations to develop and perform a needs assessment in Maryland that (1) identifies the gaps in legal service provision where eligible tenants who want to access counsel are unable to; (2) the causes of these gaps in service provision; and (3) analyzes and identifies what it will take to meet these needs moving forward.
- Work with Stout and civil legal aid organizations to identify methods to collect more targeted data regarding whether clients had heard of the ACE law or Program prior to arriving to court and potentially where they heard about the ACE law and Program.
- Organizations collecting and analyzing data should form a workgroup to ensure information sharing to maximize findings and knowledge regarding the ACE Program across the state.
- All organizations collecting data should consider how to better collect and analyze information related to equity.

Stout

- Ensure that adequate opportunities for tenant voice and representation are being incorporated in the ACE Program – this includes representation on the Task Force; evaluation efforts; and in the growth of the ACE Program in years to come.
- Work with MLSC and civil legal aid organizations to develop and perform a needs assessment in Maryland that (1) identifies the gaps in legal service provision where eligible tenants who want to access counsel are unable to; (2) the causes of these gaps in service provision; and (3) analyzes and identifies what it will take to meet these needs moving forward.
- Stout should work with MLSC and civil legal aid organizations to identify methods to collect more targeted data regarding whether clients had heard of the ACE law or Program prior to arriving to court and potentially where they heard about the ACE law and Program.

- Organizations collecting and analyzing data should form a workgroup to ensure information sharing to maximize findings and knowledge regarding the ACE Program across the state.
- All organizations collecting data should consider how to better collect and analyze information related to equity.

Civil Legal Aid Organizations

- Work with Equal Justice Works to identify how to bring fellows to more rural locations.
- Form a work group or convening platform so that they can discuss implementation of the ACE law and share best practices regarding staffing, recruitment, retention, representation of clients, and to problem solve issues they face regarding the provision of legal services associated with the ACE Program.
- Work with Stout should and MLSC to develop and perform a needs assessment in Maryland that (1) identifies the gaps in legal service provision where eligible tenants who want to access counsel are unable to; (2) the causes of these gaps in service provision; and (3) analyzes and identifies what it will take to meet these needs moving forward.
- Work with MLSC and Stout to identify methods to collect more targeted data regarding whether clients had heard of the ACE law or Program prior to arriving to court and potentially where they heard about the ACE law and Program.

United Way of Central Maryland and Civil Justice, Inc.

- Continue efforts to train the individuals operating the CIS in the technical aspects of housing and eviction law to enhance the efficacy of the CIS.

PHAs

- Share MLSC's pamphlet with residents who receive an eviction notice and with voucher holders who have received a termination notice.
- All forms related to eviction filings and notices made by the Judiciary, PHAs, and landlords, including the following list:
 - 10-day notice of failure to pay rent
 - All failure to pay rent forms
 - Tenant holding over forms
 - Breach of lease forms
 - Intent to file eviction forms
 - All 30-day lease termination forms
 - All 60-day lease terminations forms

should be updated to include the following language about the ACE law and Program with design elements such as color blocking, text boxes, or icons that draw attention to this language:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- Make information about the ACE law and Program available on half page notices, postcards, or posters with QR codes to the MLSC pamphlet in leasing offices and other communal spaces.

Landlords

- All forms related to eviction filings and notices made by the Judiciary, PHAs, and landlords, including the following list:
 - 10-day notice of failure to pay rent
 - All failure to pay rent forms
 - Tenant holding over forms
 - Breach of lease forms
 - Intent to file eviction forms
 - All 30-day lease termination forms
 - All 60-day lease terminations forms

should be updated to include the following language about the ACE law and Program with design elements such as color blocking, text boxes, or icons that draw attention to this language:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

- Make information about the ACE law and Program available on half page notices, postcards, or posters with QR codes to the MLSC pamphlet in leasing offices and other communal spaces.
- Include the following language in their leases with design elements such as color blocking, text boxes, or icons that draw attention to this language:

“Maryland’s Access to Counsel in Evictions law requires that income-eligible tenants will have access to **free legal representation** during eviction proceedings. **Call 211 or visit mdlegalhelp.org** to seek legal assistance for your case.”

Data Collecting Organizations

- Ensure that adequate opportunities for tenant voice and representation are being incorporated in the ACE Program – this includes representation on the Task Force; evaluation efforts; and in the growth of the ACE Program in years to come.
- Form a workgroup to ensure information sharing to maximize findings and knowledge regarding the ACE Program across the state.
- All organizations collecting data should consider how to better collect, share, and analyze information related to equity, including opportunities to collect more complete demographic data on participants in the Program, and analyses that allow for more targeted analysis of more than one demographic quality at a time (i.e. identifying individuals affected by both their racial identity and gender, or by age and race, etc.).

The Task Force

- Work with the Maryland Sheriff’s Association to make contact with all 24 Sheriff and Constable Offices throughout the state to share the OAG opinion and ensure that all sheriffs and constables are sharing the MLSC pamphlet both by mail and in person.
- Ensure that adequate opportunities for tenant voice and representation are being incorporated in the ACE Program – this includes representation on the Task Force; evaluation efforts; and in the growth of the ACE Program in years to come.
- Work with Apartment and Office Building Association of Metropolitan Washington (AOBA) and the Maryland Multi Housing Association (MMHA) to socialize relevant recommendations and understanding of the ACE law and Program more generally.
- Work with the Maryland Sheriff’s Association to ensure uniformity across all jurisdictions in Maryland regarding the data collected by Sheriff and Constable Offices and shared with the Judiciary.

ADDENDUM I: MLSC Pamphlet

HELP IS AVAILABLE

To find out if you are eligible and to connect with a free lawyer, **Call 211 or visit www.legalhelpmd.org**

Or scan this code with your phone's camera.



The earlier you reach out, the better, so **call 211 or visit www.legalhelpmd.org** today!



TO READ THIS BROCHURE IN:

Español
www.legalhelpmd.org/Spanish



中文
www.legalhelpmd.org/Chinese



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www.legalhelpmd.org

Updated 3/23

FREE LAWYERS FOR TENANTS IN MARYLAND

ACCESS TO COUNSEL IN EVICTIONS PROGRAM



ACCESS TO COUNSEL IN EVICTIONS PROGRAM

Are you at risk of eviction? Have you been told you may lose your housing voucher or subsidy? You may be eligible for a **free lawyer**. Lawyers with the Access to Counsel in Evictions Program can represent you in these kinds of cases:

- **Failure to Pay Rent:** Landlords file this case when they believe you owe back rent.
- **Breach of Lease:** Landlords file this case when they believe you have violated the lease.
- **Tenant Holding Over:** Landlords file this case when they claim you refuse to leave the property after the lease has ended.
- **Voucher or Other Subsidy Terminations:** The Housing Authority or agency administering your voucher or other housing subsidy starts this case by sending you a termination notice saying you have violated program rules or regulations.

A lawyer might also be able to help if your landlord is pressuring you to move, such as by illegally shutting off utilities.

TENANTS HAVE RIGHTS - AND A LAWYER CAN HELP!

A landlord **cannot** evict a tenant in Maryland without getting a court order and scheduling the eviction through the Sheriff's Department or, in Baltimore County, the Constable's Office.

Tenants have the right to defend themselves against an eviction or subsidy termination. There are many defenses that tenants can raise to try to stop an eviction, but every case is different.

A lawyer can help you understand whether any defenses apply, can help you prepare your case, and will represent you at the trial or hearing.

A lawyer can also negotiate for:

- More time for you to move
- Your landlord to make needed repairs
- Other things as appropriate.

If you have received a notice of a scheduled court hearing and you want to defend your case, you must attend the hearing. If you do not go to court, the judge may rule in favor of your landlord.

ELIGIBILITY

To qualify for a free lawyer, you must be a tenant living in Maryland and have a household income at or below 50% of Maryland's median income. A program representative will help you determine if you are eligible for free legal help.

Call 211 or visit www.legalhelpmd.org



OTHER RESOURCES

Rental Assistance
For more information and to apply for rental assistance, go to:
dhcd.maryland.gov/pages/evictionprevention

Utility Assistance
For more information and to apply for utility assistance, go to:
dhs.maryland.gov/office-of-home-energy-programs

For more information on the court process, visit:
mdcourts.gov/legalhelp/housing

The Access to Counsel in Evictions Program is administered by Maryland Legal Services Corporation.

Call 211 or visit www.legalhelpmd.org for more information.

www.legalhelpmd.org

ADDENDUM II: OAG Opinion on Access to Counsel in Evictions Requirements

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August 27, 2021

Deb Seltzer
Executive Director
Maryland Legal Services Corporation
15 Charles Plaza, Suite 102
Baltimore, Maryland 21201

Dear Ms. Seltzer:

Your predecessor as Executive Director, Susan Erlichman, asked the Office of the Attorney General a series of questions about Chapter 746 of 2021, which will go into effect on October 1, 2021, and will require the Maryland Legal Services Corporation ("MLSC" or "the Corporation") to administer a new program called the Access to Counsel in Evictions Program ("the Program"). First, in light of a provision in MLSC's governing statute that permits the Corporation to make grants only to nonprofit entities that provide legal assistance, Ms. Erlichman asked whether MLSC may make grants to a community group for outreach and education under the new law if that community group does not also provide legal assistance. Second, she asked whether MLSC must develop and deploy an informational pamphlet required by the new law by October 1, 2021, when the law goes into effect but prior to the development and implementation of the Program, or whether the pamphlet can instead be held until the Program is funded and implemented. Finally, she asked whether a sheriff or constable must provide a copy of the pamphlet to a tenant *both* by first-class mail *and* either in person or by affixing a copy on the property, or whether just one of those methods is sufficient.

As to the first question, MLSC may make payments for outreach and education about the Program to community groups that do not provide legal assistance, because those payments are not "grants." The new law instead expressly authorizes MLSC to "contract" with community groups for this purpose, with the costs paid from a special fund. As to the second question, MLSC does not have to deploy the required pamphlet by October 1, 2021, but it also may not wait until the Program is fully funded and implemented to do so. MLSC should develop the pamphlet such that it is ready to deploy as soon as services are available

under the Program. As to the final question, a sheriff or constable is required to provide a copy of the pamphlet whenever process is served, which can occur either in person or by mailing *and* posting it at the property. As a practical matter, though, my recommendation is that the pamphlet should always be mailed with any other papers mailed by the sheriff or constable under the applicable eviction statute, as that will insure compliance in the absence of personal service.

I **Background**

A. The Maryland Legal Services Corporation

MLSC is “a nonstock corporation,” Md. Code Ann., Hum. Servs. (“HS”) § 11-201(a), that was created by State law but, except as otherwise provided in Title 11 of the Human Services Article, “is not a unit or instrumentality of the State.” HS § 11-202(c). The purpose of the Corporation is “to receive and distribute funds to grantees that provide legal assistance to eligible clients in civil proceedings or matters.” HS § 11-201(b). To achieve that purpose, the Corporation is required to “make grants of financial assistance to grantees for the purpose of providing legal assistance to eligible clients.” HS § 11-501. The term “grantee,” in turn, is defined as “a nonprofit organization that: (i) is qualified under § 501(c)(3) of the Internal Revenue Code; (ii) provides legal assistance to eligible clients; and (iii) receives financial assistance under § 11-501 of [the Human Services Article] from the Corporation.” HS § 11-101(f).

MLSC generally has all of “the powers granted to a nonstock corporation under Title 5, Subtitle 2 of the Corporations and Associations Article,” to the extent those powers are consistent with Title 11 of the Human Services Article. HS § 11-205. By extension, subject to Title 11 of the Human Services Article and policies established by the Board of Directors, the Executive Director “has the authority and responsibility for: (i) administering the affairs of the Corporation; (ii) appointing and removing employees as necessary to carry out the purposes of [Title 11 of the Human Services Article]; (iii) making grants; (iv) entering into contracts; (v) exercising powers incident to the office of the executive director; and (vi) performing other duties that the Board prescribes.” HS § 11-203(b). In carrying out MLSC’s grant-making function, the Corporation has a duty to ensure that grants are made to “provide the most stable, economical, and effective delivery of legal assistance” and “provide access to legal assistance to eligible clients in all areas of the State.” HS § 11-502(a).

B. Chapter 746

During the 2021 legislative session, the General Assembly enacted Chapter 746, which, among other things, established the Access to Counsel in Evictions Program. The purpose of the Program, which will be administered by MLSC, is to “organize and direct services and resources in order to provide all covered individuals in the State with access to legal representation as required under [the new law].” Md. Code Ann., Real Prop. (“RP”) § 8-903(b). A covered individual is one who “occupies a residential property under a claim of legal right other than owner” and “is a member of a household with an income that is not greater than 50% of the median income, adjusted for household size, in the State.” RP § 8-901(c). Under the Program, MLSC “shall provide for access to legal representation by a covered individual for a judicial or administrative proceeding to evict or terminate the tenancy or housing subsidy of a covered individual, including the first appeal of a decision in the proceeding if the designated organization determines that there are sufficient legal grounds for the appeal.” RP § 8-904(a). A “designated organization” is a “nonprofit entity designated by MLSC with the ability to provide legal representation to covered individuals.” RP § 8-901(d). Legal representation under the new law “shall be phased in over time in a manner that MLSC determines appropriate with the goal of full implementation before October 1, 2025.” RP § 8-910(a).

The new law also establishes an Access to Counsel in Evictions Special Fund. RP § 8-909(a). The purpose of the special fund, which will also be administered by MLSC, is to “provide funding to fully implement access to legal representation in evictions and other related proceedings in the State.” RP § 8-909(b). The special fund will consist of money appropriated in the State budget to the fund, interest earnings of the fund, and any other money from any other source accepted for the benefit of the fund. RP § 8-909(e). The money in the fund may be used for, among other things, “services provided by a designated organization or activity by a community group to implement the Program as provided in [the new law], including all costs associated with required legal representation in any proceedings and any outreach and education activities.” RP § 8-909(f). A “community group” is defined as “a nonprofit entity with the capacity to conduct tenant outreach and provide engagement, education, and information.” RP § 8-901(b). MLSC is authorized to enter into contracts with community groups, RP § 8-906, as well as with designated organizations, RP § 8-904(c), to provide the services and activities required under the new law.

II Analysis

A. *MLSC's Power to Make Grants to Community Groups*

The first question is whether MLSC may make grants to a community group for outreach and education under the new law if that community group does not also provide legal assistance. That question arises because MLSC's purpose under its governing statute is "to receive and distribute funds to *grantees that provide legal assistance* to eligible clients in civil proceedings or matters." HS § 11-201(b) (emphasis added). Indeed, the term "grantee" is defined as a nonprofit organization that, among other things, "provides legal assistance to eligible clients." HS § 11-101(f). Meanwhile, under the new law establishing the Program, MLSC will soon be required to "designate and contract with appropriate community groups to conduct outreach and provide education to tenants locally and throughout the State regarding tenants' rights and the access to legal representation under [the new law]." RP § 8-906. And "community group" is defined as "a nonprofit with the capacity to conduct tenant outreach and provide engagement, education, and information," without any requirement that the nonprofit provide legal assistance. RP § 8-901(b). Because a nonprofit need not provide legal assistance to qualify as a "community group" under the new law but MLSC's grant-making authority is limited to nonprofits that do, Ms. Erlichman asked whether MLSC may make payments to community groups that do not provide legal assistance.

As always, statutory interpretation starts with the language of the statute. *See Marriott Emps. Fed. Credit Union v. Motor Vehicle Admin.*, 346 Md. 437, 444-45 (1997). We must also construe the plain language of the statutory scheme as a whole, so that the relevant provisions are harmonized to the maximum extent possible. *Lockshin v. Semsler*, 412 Md. 257, 275-76 (2010).

Under the new law, MLSC is required to "designate and *contract* with appropriate community groups" to conduct outreach and education. RP § 8-906 (emphasis added). The General Assembly's choice to use the word "contract"—rather than "grant," which it had used in the provisions governing MLSC in the Human Services Article—implies that there is a difference between the word "contract" here and the word "grant" as used elsewhere in the statutory scheme. *See Toler v. Motor Vehicle Admin.*, 373 Md. 214, 223 (2003) ("It is a common rule of statutory construction that, when a legislature uses different words . . . it usually intends different things."); *see also* 61 *Opinions of the Attorney General* 912 (1976) (differentiating between grants and contracts in a different context). The distinction between these two words is also reinforced by the fact that you, as MLSC's Executive Director, are separately authorized to "mak[e] grants" and to "enter[] into

contracts.” HS § 11-203(b)(2). In my view, then, MLSC may make payments to a community group for outreach and education under the new law, even if that community group does not also provide legal assistance, because those payments are not “grants” and thus are not limited by the way that term is understood in Title 11 of the Human Services Article.

In fact, the new law expressly authorizes MLSC to enter into contracts with, rather than make grants to, designated organizations and community groups to carry out its obligations under the Program that go beyond its traditional grant-making role. See RP §§ 8-904(c); 8-906.¹ Although MLSC’s purpose under its governing statute is “to receive and distribute funds to grantees that provide legal assistance,” HS § 11-201(b), Chapter 746 has assigned new duties that MLSC has the power to carry out by entering into contracts with community groups, even if those groups are not eligible for grants under Title 11 of the Human Services Article. Indeed, the new law establishes an Access to Counsel in Evictions Special Fund, RP § 8-909(a), and allows MLSC to use those funds to pay for “services provided by a designated organization *or activity by a community group* to implement the Program,” including “all costs associated with required legal representation in any proceeding *and any outreach and education activities*.” RP § 8-909(f) (emphases added). Thus, once MLSC enters into a contract with a community group to conduct specified outreach and provide education about the Program, payments from the special fund will be made under the terms of that contract, not under a “grant,” and the community group need not provide legal assistance because it is not a “grantee.”

B. The Timing of MLSC’s Obligation to Develop an Informational Pamphlet

The second question is whether MLSC must develop and deploy the informational pamphlet required under Chapter 746 by October 1, 2021, when the new law goes into effect, or whether MLSC can wait to finalize the pamphlet until the Program is funded and implemented. That question arises because the new law requires MLSC, once the new law goes into effect, to “develop an informational pamphlet in both English and other languages MLSC determines appropriate: (1) describing the legal rights of tenants and the access to counsel established under [the new law]; and (2) providing information on resources available to tenants.” RP § 8-905(a). The new law also contemplates, however, that “legal representation as required under this subtitle shall be phased in over time in a manner that

¹ To be clear, just because MLSC is authorized to enter into *contracts* with designated organizations “to provide all or part of the services required under [the new law],” RP § 8-904(c), that does not mean that MLSC cannot also make *grants* to designated organizations—which do provide legal assistance—if MLSC wishes to do so.

MLSC determines appropriate with the goal of full implementation before October 1, 2025.” RP § 8-910(a).

Although MLSC is required to “develop” a pamphlet, the statute does not set a date certain for that pamphlet to be finalized. If the General Assembly intended for MLSC to “deploy” the pamphlet by a specific date, it could have said so. *See, e.g.*, RP § 8-907 (requiring MLSC to provide a certain report “on or before August 31 each year”); *see also State v. Bey*, 452 Md. 255, 266 (2017) (“[T]he plain language must be viewed within the context of the statutory scheme to which it belongs, considering the purpose, aim, or policy of the Legislature in enacting the statute.”). Of course, a statute’s effective date is generally the time that parties must begin to comply with the statute’s requirements. *See, e.g.*, 94 *Opinions of the Attorney General* 20, 27-30 (2009) (concluding that a new fee allocation regime took effect on its effective date because it coincided with the new fiscal year and there was no “indication in the available legislative history that any lag in implementation was contemplated”). For example, in addition to creating the Program, Chapter 746 also imposes new procedural notice requirements that landlords must immediately begin to follow on October 1, 2021. *See* RP § 8-401(c); *see also* H.B. 18, 2021 Leg., Reg. Sess., § 2 (“On or before October 1, 2021, the Maryland Judiciary shall develop and publish on its website a form . . . to facilitate the implementation of § 8-401(c) of the Real Property Article, as enacted by Section 1 of this Act.”).

As to the Program, however, the statute provides that legal representation will be “phased in over time in a manner that MLSC determines appropriate.” RP § 8-910(a). In other words, this statute clearly contemplates a “lag in implementation,” 94 *Opinions of the Attorney General* at 28, at least as to the parts of the statute related to the Program, while October 1 is merely a “standard effective date” for the statute as a whole, *see* Dep’t of Legislative Servs., *Legislative Drafting Manual* 142 (2019) (explaining that current practice is to use October 1, as opposed to June 1 or July 1, for the default effective date of bills “in order to extend the time available for the publication of new laws”). I have found nothing in the statute or the legislative history to indicate that the General Assembly intended for the pamphlet to be deployed by October 1, 2021, even if the Program was not up and running by that point. Given that “the access to counsel established under [the new law]” is implemented by MLSC and is a required part of the pamphlet, RP § 8-905(a), MLSC likely has at least some discretion to determine the appropriate time to deploy the pamphlet. After all, deploying the pamphlet before MLSC has decided on the basic contours of the Program that provides access to counsel—and before any money for access to counsel actually becomes available under the Program—could lead to confusion and inefficiencies, including redundant printing and translation costs associated with the development of the pamphlet. *See Frost v. State*, 336 Md. 125, 137 (1994) (recognizing

that statutes should be analyzed “to avoid constructions that are illogical, unreasonable, or inconsistent with common sense”).

Although MLSC likely does not have to deploy the pamphlet by October 1, 2021, it also may not wait until the Program is fully funded and implemented to do so. Rather, MLSC should develop the pamphlet in such a manner that it is ready to deploy as soon as services are available under the Program. *Cf.* Wash. Op. Att’y Gen. No. 1, 1990 WL 505765 (Jan. 9, 1990) (concluding that school districts need not develop their own AIDS curricula prior to the beginning of the school year, so long as it is developed in time to provide AIDS education at least once during the school year). This reading of the statute recognizes that the General Assembly has given MLSC discretion as to how it phases in the Program but, at the same time, furthers the apparent purpose of the pamphlet, which is to inform tenants about their rights and about the Program as soon as MLSC can make counsel available through the Program.

C. Service of the Informational Pamphlet

The final question is whether a sheriff or constable must provide a copy of the pamphlet to a tenant *both* by first-class mail *and* either in person or by affixing a copy on the property, or whether one method is sufficient. Under the new law, a sheriff or constable is required to “provide a copy of the pamphlet . . . in addition to the process served on a tenant, an assignee, or a subtenant in accordance with [the eviction procedures in RP §§ 8-401, 8-402, and 8-402.1].” RP § 8-905(b). As an initial matter, it is not entirely clear whether the pamphlet is merely an additional document that sheriffs or constables must provide by any means they choose, or whether the sheriff or constable must provide the pamphlet along with—i.e., at the same time and by the same means as—the process served on the tenant under the applicable eviction statute. The phrase “in addition to,” by itself, is ambiguous on that point. But the title of the bill indicates that the bill requires “a sheriff or constable to provide certain individuals with the pamphlet *when serving process* for certain civil proceedings.” H.B. 18, 2021 Leg., Reg. Sess. (Enrolled Bill). That suggests the intent was for the pamphlet to be provided along with the process a sheriff or constable must serve on the tenant. *See Blackstone v. Sharma*, 461 Md. 87, 114 (2018) (explaining that the context of a bill, “including the title and function paragraphs,” should be considered when ascertaining legislative purpose). Presumably, the purpose of providing the pamphlet along with the service of process is to confirm that tenants in fact receive information about their rights and about the Program—and receive it early enough in the eviction proceedings that access to counsel can meaningfully help the tenant.

The answer to Ms. Erlichman’s question about when the pamphlet must be provided thus depends on when the process for eviction proceedings is required to be served. In

cases involving evictions for failure to pay rent, for example, the District Court issues a summons “directed to any constable or sheriff of the county entitled to serve process” and “order[s] the constable or sheriff to notify the tenant, assignee, or subtenant by first-class mail” to appear at trial and to answer the landlord’s complaint. RP § 8-401(b)(3). The constable or sheriff then “proceed[s] to *serve* the summons” according to requirements laid out in the statute. RP § 8-401(b)(4)(i) (emphasis added). More specifically:

- (1) If personal service is requested and any of the persons whom the sheriff shall serve is found on the property, the sheriff shall serve any such persons; or
- (2) If personal service is requested and none of the persons whom the sheriff is directed to serve shall be found on the property and, in all cases where personal service is not requested, the constable or sheriff shall affix an attested copy of the summons conspicuously upon the property.

Id. Evictions for tenants holding over, *see* RP § 8-402, and evictions for a breach of lease, *see* RP § 8-402.1, follow a similar formula. Although those statutes do not explicitly refer to a separate notice being sent by first-class mail, the sheriff or constable is instructed to serve the summons either in person or by affixing a copy of the summons conspicuously on the property. And posting the summons at the property will “conclusively be presumed to be a sufficient service . . . for possession of the premises” only “after due notification to the tenant . . . by first-class mail.” RP § 8-401(b)(4)(ii). In other words, where personal service is either not requested or is not possible, sufficient service occurs when a sheriff or constable *both* provides notice by first-class mail *and* affixes a copy of the summons on the property.

Thus, even under the statutes that, unlike RP § 8-401, do not refer to a separate notice sent by first-class mail, service by posting at the property is presumed sufficient only after notice is sent by first-class mail. RP § 8-402(b)(1)(ii) (establishing sufficient service to support restitution in evictions for tenants holding over); RP § 8-402.1(a)(2)(ii) (same in evictions for breach of lease). A draft District Court form, developed to comply with the new law, reinforces that service occurs either in person or by mail and posting. That form instructs the sheriff or constable:

You are ordered to notify the tenant, assignee, or subtenant, or their known or authorized agent, *by personal service, if such service is requested* by the landlord, to appear in the District Court at the trial of this matter to show cause why the demand

of the landlord should not be granted. Personal service is to be performed at the property subject to this complaint or at any other known address. *If personal service is not requested, or if no person to be served is found on the property or at another known address, you shall affix an attested copy of the summons and complaint conspicuously on the property that is the subject of this suit and mail a copy of the summons and complaint to the tenant, assignee, or subtenant by first-class mail to the address specified by the landlord*

Draft DC-CV-082 (Eff. Oct. 1, 2021) (emphases added), *available at* https://www.courts.state.md.us/district/forms/dccv082_publicnotice2021.

Because the statutes cross-referenced in the new law require either personal service or service by mail and posting, the way in which the sheriff or constable actually effects service determines when the pamphlet must be provided. That is, if the sheriff or constable effects personal service, the pamphlet must be provided in person at the same time (and need not be mailed). But if the sheriff or constable does *not* effect personal service, the pamphlet must be *both* mailed first-class *and* affixed conspicuously on the property, along with the summons. Although this means that mailing the pamphlet might not be strictly required in all cases, my recommendation is that, for sake of consistency, the pamphlet should always be mailed with any papers already mailed by the sheriff or constable under the applicable eviction statute. (For example, the pamphlet should, as a practical matter, be mailed along with the first-class-mail notification that is apparently required in all cases under RP § 8-401.²) That is because, if none of the persons whom the sheriff or constable is directed to serve in person can be found, and the summons is instead posted on the property, the mailing conclusively establishes sufficient service and eliminates any question as to whether the statute has been satisfied. And to the extent the sheriff or constable is already providing notice by first-class mail, adding the pamphlet likely presents a minimal burden.

That recommendation is also consistent with the purposes behind the pamphlet requirement. Mailing the pamphlet (even when not strictly required) not only increases the

² In fact, it is probably especially important for the pamphlet to be mailed along with the first-class-mail notification for cases arising under RP § 8-401. The mailed notice appears to be an affirmative statutory requirement in those cases, *see* RP § 8-401(b)(3), and the General Assembly thus might have expected that the pamphlet would be sent along with that mandatory mailing, even if it is not technically part of the required “service” when service is effected in person.

Deb Seltzer
August 27, 2021
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likelihood that tenants will receive the pamphlet and be able to timely access counsel through the Program, but also insures compliance in those cases where personal service is not possible. *See Kaczorowski v. Mayor & City Council of Baltimore*, 309 Md. 505, 516 (1987) (noting that “statutes are to be construed reasonably with reference to the purpose to be accomplished” (citation omitted)).

III Conclusion

In my view, MLSC may make payments to community groups, even if they do not provide legal assistance, because those payments will be made under contracts, not grants. Although MLSC need not deploy the informational pamphlet required under the new law by October 1, 2021, MLSC should develop the pamphlet in such a manner that it is ready to deploy as soon as services are available under the Program. Finally, my view is that the sheriff or constable is required to provide a copy of the pamphlet when process is served according to the relevant statute, that is, either in person or by mail *and* posting. My recommendation, however, is that the pamphlet should always be mailed with any papers that are mailed by the sheriff or constable under the applicable eviction statute, to account for those instances when personal service is not possible. Although this is not an official opinion of the Attorney General, I hope that it is helpful.

Sincerely,



Patrick B. Hughes
Chief Counsel, Opinions and Advice

*Assistant Attorney General Alan J. Dunklow contributed significantly to the preparation of this advice.

ADDENDUM III: Forms to be revised using Task Force recommended language

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

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)	

THIS IS NOT A NOTICE OF EVICTION

An action for repossession of the property may 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 is being provided to the tenant by the landlord on _____ 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

Note: Notice may be sent electronically only at the request of the tenant. If sent through a tenant portal, the portal must provide the landlord with proof of the transmission by which the landlord can verify the transmission.

_____	_____	_____
Date	Signature of Landlord/Attorney/Agent	Attorney Number

RESOURCES FOR TENANTS AND LANDLORDS

- Under the **Access to Counsel in Evictions Law**, all income qualified tenants will have access to an attorney. Call 211 for a referral or visit legalthelpmd.org for more information.
- Alternative Dispute Resolution (ADR) Office mdcourts.gov/district/adr/home
 - 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; 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.**
- Rental assistance may be available to both Landlords and Tenants.** Visit mdcourts.gov/legalhelp/housing.
- 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.



Maryland Court Help



This form is not printable, and cannot be completed online. This is a complex form with signatures needed on various pages. The Court requires the carbonless multi-part form, which is available from any District Court location (Baltimore City Civil forms can be found at Fayette and Gay Street location only). A sample form is provided here so you may see the information needed to complete the carbonless form.

Park Owner _____ Affixed on Mobile Home _____

Address _____ Date _____

City _____ State _____ Zip _____ ☐ Mailed to Resident _____

(1) Resident _____ (2) Resident _____ Constable/Sheriff _____

(3) Resident _____ (4) Resident _____

Address _____ Served on Party: _____

City _____ State _____ Zip _____

Date _____ Date _____

FAILURE TO PAY RENT - PARK OWNER'S COMPLAINT FOR REPOSSESSION OF RENTED PROPERTY (REAL PROPERTY §8A-1701)

- The property is a ☐ mobile home ☐ park lot described as: _____
Maryland, _____ Number _____ Street _____ Apt. _____ City _____
 - Is the park owner required by law to be licensed/registered in order to operate this premises as a rental property? ☐ Yes ☐ No. If so, is the park owner currently licensed/registered ☐ Yes ☐ No. License/Registration number if applicable: _____
 - The resident rents from the park owner, who asks for possession of the property based on the amount of rent and costs determined to be due.
 - This ☐ is ☐ is not a government subsidized tenancy. Resident is responsible to pay the following amount of rent: \$ _____ due on the _____ of the ☐ week ☐ month, which has not been paid or reduced to judgment.
As of today, rent is due for the ☐ weeks ☐ months of _____ in the total amount of \$ _____
Late charges accruing in or prior to the month in which the complaint was filed for the ☐ weeks ☐ months of _____ are due in the amount of \$ _____
TOTAL \$ _____
 - The park owner requests the resident's right of redemption be foreclosed due to prior judgments. The case numbers and judgment dates within the past 12 months: _____
☐ All the residents on the lease are listed above. Case Numbers & Judgment Dates
☐ At least one resident is in the military service.
☐ No resident is in the military service and the facts supporting this statement are: _____
- Specific facts must be given for the Court to conclude that each Resident who is a natural person is not in the military ☐ Verified through DOD at: <https://scra.dmdc.osd.mil/>
- ☐ I am unable to determine whether or not any resident is in the military service.

I do solemnly affirm under the penalty of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

Print Name of Signer (Park Owner/Attorney/Agent) _____ Signature of Park Owner/Attorney/Agent _____ Attorney Number/Party# _____ Date _____

Address _____ Telephone _____

Fax _____ E-mail _____

Continued on _____ Request of _____ Reason _____

DISPOSITION

- The following parties on final trial date: ☐ Park Owner ☐ Park Owner's Agent/Attorney
- ☐ Resident 1 ☐ Resident 2 ☐ Resident 3 ☐ Resident 4 ☐ Resident's Attorney
- ☐ Judgment in favor of Park Owner for possession of the premises and costs
- ☐ Determined due and unpaid: \$ _____ ☐ By default ☐ After Trial ☐ By consent
- ☐ For possession of the premises – resident to yield possession of premises to Park Owner within 30 days after trial ☐ Without the right of redemption
- ☐ Money judgment for \$ _____ plus costs against Resident ☐ #1 ☐ #2 ☐ #3 ☐ #4
- ☐ Voluntary dismissal by: ☐ Park Owner ☐ Stipulation of parties
- ☐ Case dismissed ☐ Park Owner FTA ☐ No party appeared ☐ Other: _____
- ☐ Judgment for Resident ☐ After trial ☐ By consent
- If applicable: ☐ Park Owner has violated Real Prop., §8A-1102(b)
- ☐ Recovery of Possession of the Property
- ☐ Actual Damages of \$ _____
- ☐ Reasonable Attorney's Fees of \$ _____ and costs
- ☐ Execution stayed until _____
- ☐ Execution stayed by filing an approved appeal bond in the amount of \$ _____

Judge _____ ID Number _____ Date _____ Judge/Clerk _____ Date _____

SUMMONS

TO the Sheriff or Constable: you are ordered to notify the resident, assignee, subtenant, or their agent, by personal service, to appear in the District Court to show cause why the demand of the park owner should not be granted. Personal service may be at any known address. If the park owner has not requested personal service, or if at least one person to be served cannot be located and served, affix an attested copy of the summons and complaint conspicuously on the subject property and mail a copy to the resident, assignee, or subtenant by first class mail to the address specified by the park owner. In the case of a deceased resident, notify the occupant or next of kin of the deceased resident by the same procedure.

DC-CV-082MH (Rev. 10/2024)

For information about rental assistance programs or about the law that applies to your situation, contact the court's Self-Help Center. By phone: 410-260-1392 Online: <https://mdcourts.gov/selfhelp> Para obtener información sobre los programas de asistencia para pagar el alquiler o sobre la ley que se aplica en su situación, comuníquese con el Centro de autoayuda del tribunal. Por teléfono: 410-260-1392 En línea: <https://mdcourts.gov/selfhelp>

**DISTRICT COURT OF MARYLAND FOR**

Located at _____

No. of residents 1 2 3 4

**CASE NUMBER
TRIAL DATE & TIME**

Park Owner _____

Affixed on Mobile Home _____

Address _____

Date _____

City _____

State _____

Zip _____

☐ Mailed to Resident

(1) Resident _____

(2) Resident _____

Constable/Sheriff _____

(3) Resident _____

(4) Resident _____

Address _____

Served on Party: _____

City _____

State _____

Zip _____

Date _____ Date _____

FAILURE TO PAY RENT - PARK OWNER'S COMPLAINT FOR REPOSSESSION OF RENTED PROPERTY (REAL PROPERTY §8A-1701)1. The property is a ☐ mobile home ☐ park lot described as: _____
Maryland, _____
Number Street Apt. City2. Is the park owner required by law to be licensed/registered in order to operate this premises as a rental property? ☐ Yes ☐ No. If so, is the
park owner currently licensed/registered ☐ Yes ☐ No. License/Registration number if applicable: _____
Property Name

3. The resident rents from the park owner, who asks for possession of the property based on the amount of rent and costs determined to be due.

4. This ☐ is ☐ is not a government subsidized tenancy. Resident is responsible to pay the following amount of rent: \$ _____ due on
the _____ of the ☐ week ☐ month, which has not been paid or reduced to judgment.As of today, rent is due for the ☐ weeks ☐ months of _____ in the total amount of \$ _____Late charges accruing in or prior to the month in which the complaint was filed for the ☐ weeks ☐ months

of _____ are due in the amount of \$ _____

5. _____ TOTAL \$ _____

6. The park owner requests the resident's right of redemption be foreclosed due to prior judgments. The case numbers and judgment dates within
the past 12 months: _____
Case Numbers & Judgment Dates☐ All the residents on the lease are listed above.☐ At least one resident is in the military service.☐ No resident is in the military service and the facts supporting this statement are: _____ ☐ Verified through DOD at:
https://scra.dmdc.osd.mil/

Specific facts must be given for the Court to conclude that each Resident who is a natural person is not in the military

☐ I am unable to determine whether or not any resident is in the military service.

I do solemnly affirm under the penalty of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

Print Name of Signer (Park Owner/Attorney/Agent) _____

Signature of Park Owner/Attorney/Agent _____

Attorney Number/Party# _____

Date _____

Address _____

Telephone _____

Fax _____

E-mail _____

Continued on _____ Request of _____ Reason _____

SUMMONS

TO the Sheriff or Constable: you are ordered to notify the resident, assignee, subtenant, or their agent, by personal service, to appear in the District Court to show cause why the demand of the park owner should not be granted. Personal service may be at any known address. If the park owner has not requested personal service, or if at least one person to be served cannot be located and served, affix an attested copy of the summons and complaint conspicuously on the subject property and mail a copy to the resident, assignee, or subtenant by first class mail to the address specified by the park owner. In the case of a deceased resident, notify the occupant or next of kin of the deceased resident by the same procedure.

Judge/Clerk _____

Date _____

DC-CV-082 MH (Rev. 10/2024)

For information about rental assistance programs or about the law that applies to your situation, contact the court's Self-Help Center. By phone: 410-260-1392 Online: <https://mdcourts.gov/selfhelp> Para obtener información sobre los programas de asistencia para pagar el alquiler o sobre la ley que se aplica en su situación, comuníquese con el Centro de autoayuda del tribunal. Por teléfono: 410-260-1392 En línea: <https://mdcourts.gov/selfhelp>

**DISTRICT COURT OF MARYLAND FOR** _____

Located at _____

No. of residents 1 2 3 4

**CASE NUMBER
TRIAL DATE & TIME**

Park Owner _____

Affixed on Mobile Home _____

Address _____

Date _____

City _____

State _____

Zip _____

☐ Mailed to Resident

(1) Resident _____

(2) Resident _____

Constable/Sheriff _____

(3) Resident _____

(4) Resident _____

Address _____

Served on Party: _____

City _____

State _____

Zip _____

Date _____

Date _____

FAILURE TO PAY RENT - PARK OWNER'S COMPLAINT FOR REPOSSESSION OF RENTED PROPERTY (REAL PROPERTY §8A-1701)

- The property is a ☐ mobile home ☐ park lot described as: _____
Maryland, _____
Number _____ Street _____ Apt. _____ City _____
- Is the park owner required by law to be licensed/registered in order to operate this premises as a rental property? ☐ Yes ☐ No. If so, is the park owner currently licensed/registered ☐ Yes ☐ No. License/Registration number if applicable: _____
Property Name: _____
- The resident rents from the park owner, who asks for possession of the property based on the amount of rent and costs determined to be due.
- This ☐ is ☐ is not a government subsidized tenancy. Resident is responsible to pay the following amount of rent: \$ _____ due on the _____ of the ☐ week ☐ month, which has not been paid or reduced to judgment.
As of today, rent is due for the ☐ weeks ☐ months of _____ in the total amount of \$ _____
Late charges accruing in or prior to the month in which the complaint was filed for the ☐ weeks ☐ months of _____ are due in the amount of \$ _____
TOTAL \$ _____
- The park owner requests the resident's right of redemption be foreclosed due to prior judgments. The case numbers and judgment dates within the past 12 months: _____
Case Numbers & Judgment Dates _____
- ☐ All the residents on the lease are listed above.
☐ At least one resident is in the military service.
☐ No resident is in the military service and the facts supporting this statement are: _____
Specific facts must be given for the Court to conclude that each Resident who is a natural person is not in the military
☐ I am unable to determine whether or not any resident is in the military service.

☐ Verified through DOD at:
<https://scra.dmdc.osd.mil/>

I do solemnly affirm under the penalty of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

Print Name of Signer (Park Owner/Attorney/Agent) _____

Signature of Park Owner/Attorney/Agent _____

Attorney Number/Party# _____

Date _____

Address _____

Telephone _____

Fax _____

E-mail _____

Continued on _____ Request of _____ Reason _____

SUMMONS

TO the Sheriff or Constable: you are ordered to notify the resident, assignee, subtenant, or their agent, by personal service, to appear in the District Court to show cause why the demand of the park owner should not be granted. Personal service may be at any known address. If the park owner has not requested personal service, or if at least one person to be served cannot be located and served, affix an attested copy of the summons and complaint conspicuously on the subject property and mail a copy to the resident, assignee, or subtenant by first class mail to the address specified by the park owner. In the case of a deceased resident, notify the occupant or next of kin of the deceased resident by the same procedure.

Judge/Clerk _____

Date _____

NOTICE: If judgment for a sum certain was entered, you may file request that this judgment be recorded.

DC-CV-082 MH (Rev. 10/2024)

For information about rental assistance programs or about the law that applies to your situation, contact the court's Self-Help Center. By phone: 410-260-1392 Online: <https://mdcourts.gov/selfhelp> Para obtener información sobre los programas de asistencia para pagar el alquiler o sobre la ley que se aplica en su situación, comuníquese con el Centro de autoayuda del tribunal. Por teléfono: 410-260-1392 En línea: <https://mdcourts.gov/selfhelp>

NOTICE TO THE RESIDENT

1. If you need an interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately.
2. The court may limit the use of cell phones and other electronic devices in certain areas of the courthouse.
3. This complaint asks the court to evict you for not paying rent. If you have paid the rent by the trial date, you should come to court on the trial date with your receipt and ask the court to dismiss the case.
4. You have the right to go to court and be heard by a judge. The date and time of your hearing are stamped on the first page of this complaint.

If you decide to go to court:

- Please be early and bring this paper with you.
- If you have paid your rent and late fees by the trial date, bring your receipt, and show it to the judge when your case is called.
- If you believe that you have paid your rent and fees in full or that the amount the park owner says you owe is wrong, bring proof with you.
- If you believe that you have any other defense to this complaint, be prepared to state all the facts clearly to the judge.
- You have the right to bring a lawyer with you to represent you at the hearing.

5. What happens next if the court enters a judgment for the park owner?

- The court has entered a judgment for possession for the park owner: this means that you have lost your case.
- If you don't pay the rent and late fees due within fifteen (15) business days, the court will sign a Warrant of Restitution if requested by the park owner. The court will send the warrant to the sheriff (constable in Baltimore County), who will schedule the eviction. An eviction includes the removal of the mobile home from the park owner's property.
- The eviction will be cancelled if you pay all money due, including filing fees, before the eviction occurs, unless the judgment issued by the court is without right of redemption. See next paragraph.
- If there have been three (3) prior judgments against you in rent court for this property in the past twelve (12) months, the judgment of possession will be without right of redemption. This means that even if you pay all money due before the date of eviction, the park owner can still evict you.
- On the day of the eviction, the sheriff or constable will meet the park owner and his/her workers at your home. The park owner's workers will remove the mobile home and any additions or attachments to it from the premises. The sheriff or constable is not responsible for protecting your property.
- You have the right to appeal to the circuit court. File a notice of appeal with the clerk on the District Court no later than two (2) business days from the date of judgment. The court may require you to post a bond to keep the eviction from happening until after the circuit court decides your appeal. You must continue to pay rent during the appeal period.

AVISO A LAS PERSONAS QUE HABLAN ESPAÑOL (NOTICE TO SPANISH SPEAKING INDIVIDUALS)

Esta es una denuncia por incumplimiento de pago de la renta. La traducción al español de este formulario se encuentra en el Internet en: <https://mdcourts.gov/sites/default/files/import/district/forms/civil/dccv082mhbls.pdf>

El folleto informativo en español también se encuentra en el Internet en:

<https://www.mdcourts.gov/sites/default/files/courtforms/district/forms/civil/dccv082tbrs.pdf/dccv082tbrs.pdf>

Usted también podrá llevar este formulario a la Oficina del Secretario del Tribunal de Distrito, a la dirección que aparece en la parte de arriba del reverso de este formulario, y el secretario le entregará una traducción impresa, el folleto en español y proporcionará la asistencia de un intérprete si es necesario. Para obtener información sobre los programas de asistencia para pagar el alquiler o sobre la ley que se aplica en su situación, comuníquese con el Centro de autoayuda del tribunal. Por teléfono: 410-260-1392

En línea: <https://mdcourts.gov/selfhelp>

This form is not printable, and cannot be completed online. This is a complex form with signatures needed on various pages. The Court requires the carbonless multi-part form, which is available from any District Court location (Baltimore City Civil forms can be found at Fayette and Gay Street location only). A sample form is provided here so you may see the information needed to complete the carbonless form.

Landlord		Affixed on Premises	
Address		Date	
City	State	Zip	☐ Mailed to Tenant
① Tenant	② Tenant		
③ Tenant	④ Tenant	Constable/Sheriff	
Address		Served on Party:	
City	State	Zip	
Date		Date	

FAILURE TO PAY RENT - LANDLORD'S COMPLAINT FOR REPOSSESSION OF RENTED PROPERTY (REAL PROPERTY § 8-401)

- The property is described as: _____, Maryland.
- Is the property required to be licensed in order to operate as a rental property?
☐ No ☐ Yes, provide License number and expiration date
☐ Yes, but unlicensed because: ☐ exempt; ☐ of reasons under RP § 8-406(c)(1)(iii), (iv), or (v); ☐ other: _____
- The property: ☐ is affected property under § 6-801, Environment Article, its registration with the MDE is current, and its registration has been renewed as required; MDE inspection certificate number, _____, is valid for the current tenancy; or ☐ owner is unable to state Certificate No. because: ☐ exempt ☐ tenant refused access or to relocate/vacate for remedial work. ☐ The property is not affected.
- The tenant rents from the landlord who asks for possession of the property and a judgment for the amount determined to be due.
- This ☐ is not ☐ is a government subsidized tenancy ☐ § 8 ☐ other. Tenant is responsible to pay the following amount of rent: \$ _____ due on the _____ of the ☐ week ☐ month, which has not been paid or reduced to judgment.
 As of today, rent is due for the ☐ weeks ☐ months of _____ in the total amount of \$ _____ less tenant payments of \$ (_____) for utility bills, fees, and security deposits under PU § 7-309 / RP § 8-212.3. \$ _____ Net Rent
 Late charges accruing in or prior to the month in which the complaint was filed for the ☐ weeks ☐ months of _____ are due in the amount of \$ _____
- _____ SUBTOTAL \$ _____
- ☐ The landlord requests rent becoming due after the date of filing, but due by the date of trial in the amount of \$ _____
- _____ TOTAL \$ _____
- The landlord requests foreclosure of the tenant's rights of redemption due to prior judgments; prior case numbers and judgment dates within the past 12 months: _____
- ☐ All the tenants on the lease are listed above. ☐ At least one tenant is in the military service. ☐ No tenant is in the military service and the facts supporting this statement are: _____
Specific facts must be given for the court to conclude that each tenant who is a natural person is not in the military.
☐ I am unable to determine whether or not any tenant is in the military service. ☐ Verified through DOD at: scra.dmdc.osd.mil
- ☐ The tenant is deceased, intestate (not having made a legal will), and without next of kin.
- Landlord provided a Notice of Intent to File a Complaint for Summary Ejectment (Failure to Pay Rent) to the tenant on _____, Date _____ by ☐ first-class mail – mail service certificate of mailing ☐ affixed to door of the leased property ☐ delivered electronically – proof of transmission.
 I do solemnly affirm under the penalties of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

Print Name of Signer (Landlord/Attorney/Agent) _____ Signature of Landlord/Attorney/Agent _____ Attorney Number / Party # _____ Date _____
 Address _____ Telephone _____
 Fax _____ E-mail _____
 Continued to _____ Request of _____ Reason _____

DISPOSITION

The following parties appeared on final trial date: ☐ Landlord ☐ Landlord's Agent/Attorney
☐ Tenant1 ☐ Tenant 2 ☐ Tenant 3 ☐ Tenant 4 ☐ Tenant's Attorney
☐ Judgment in favor of landlord for possession of the premises and costs
 Rent due and unpaid: \$ _____ minus utility credits of \$ _____ under PU § 7-309 / RP § 8-212.3
 Net due and unpaid: \$ _____ by: ☐ Default ☐ Trial ☐ Consent ☐ No right of redemption
☐ Money judgment for \$ _____ plus costs against tenant #1 ☐ #2 ☐ #3 ☐ #4 ☐
☐ Voluntary dismissal by: ☐ Landlord ☐ Stipulation of parties
☐ Case Dismissed ☐ Landlord FTA ☐ No party appeared ☐ Other: _____
☐ Judgment for tenant
☐ If applicable: ☐ Landlord has violated RP § 8-216(b)
☐ Actual Damages of \$ _____
☐ Reasonable Attorney's Fees of \$ _____ and costs _____
 Execution stayed until _____
 Execution stayed by filing an approval appeal bond in the amount of \$ _____

SUMMONS

TO the sheriff or constable (in Wicomico Co., other process server): you are ordered to notify the tenant, assignee, subtenant, or their agent, by personal service, if requested by the landlord, to appear in the District Court to show cause why the demand of the landlord should not be granted. Personal service may be performed at the property subject to this complaint or at any other known address. If the landlord has not requested personal service, or if at least one person to be served cannot be located and served, affix an attested copy of the summons and complaint conspicuously on the subject property and mail a copy to the tenant, assignee, or subtenant by first-class mail to the address specified by the landlord. In the case of a deceased tenant, notify the occupant or next of kin of the deceased tenant by the same procedure.

Judge _____ ID Number _____ Date _____ Judge/Clerk _____ Date _____

DC-CV-082
(Rev. 10/01/2024)

Need legal help or rental assistance? Talk with a lawyer at a Maryland Court Help Center. Free. Online. In Person. By Phone.
 ¿Necesita ayuda legal o asistencia con el alquiler? Hable con un abogado en un Centro de Ayuda de Los Tribunales de Maryland. Gratis. En línea. En persona. Por teléfono. mdcourts.gov/helpcenter. 410 260-1392.



DISTRICT COURT OF MARYLAND FOR _____

Located at _____

Landlord _____ Affixed on Premises _____

Address _____ Date _____

City _____ State _____ Zip _____ ☐ Mailed to Tenant

① Tenant _____ ② Tenant _____

③ Tenant _____ ④ Tenant _____ Constable/Sheriff _____

Address _____ Served on Party: _____

City _____ State _____ Zip _____

Date _____ Date _____

FAILURE TO PAY RENT - LANDLORD'S COMPLAINT FOR REPOSSESSION OF RENTED PROPERTY (REAL PROPERTY § 8-401)

1. The property is described as: _____, Maryland.

2. Is the property required to be licensed in order to operate as a rental property?

☐ No ☐ Yes, provide License number and expiration date _____

☐ Yes, but unlicensed because: ☐ exempt; ☐ of reasons under RP § 8-406(c)(1)(iii), (iv), or (v); ☐ other: _____

3. The property: ☐ is affected property under § 6-801, Environment Article, its registration with the MDE is current, and its registration has been renewed as required; MDE inspection certificate number, _____, is valid for the current tenancy; or ☐ owner is unable to state Certificate No. because: ☐ exempt ☐ tenant refused access or to relocate/vacate for remedial work. ☐ The property is not affected.

4. The tenant rents from the landlord who asks for possession of the property and a judgment for the amount determined to be due.

5. This ☐ is not ☐ is a government subsidized tenancy ☐ § 8 ☐ other. Tenant is responsible to pay the following amount of rent: \$ _____ due on the _____ of the ☐ week ☐ month, which has not been paid or reduced to judgment.

As of today, rent is due for the ☐ weeks ☐ months of _____ in the total amount of \$ _____ less tenant

payments of \$ (_____) for utility bills, fees, and security deposits under PU § 7-309 / RP § 8-212.3. \$ _____

Late charges accruing in or prior to the month in which the complaint was filed for the ☐ weeks ☐ months of _____ Net Rent \$ _____

of _____ are due in the amount of _____ \$ _____

6. _____ SUBTOTAL \$ _____

7. ☐ The landlord requests rent becoming due after the date of filing, but due by the date of trial in the amount of _____ \$ _____

8. _____ TOTAL \$ _____

9. The landlord requests foreclosure of the tenant's rights of redemption due to prior judgments; prior case numbers and judgment dates within the past 12 months: _____

☐ All the tenants on the lease are listed above. ☐ At least one tenant is in the military service. ☐ No tenant is in the military service and the facts supporting this statement are: _____

☐ I am unable to determine whether or not any tenant is in the military service. ☐ Verified through DOD at: scra.dmdc.osd.mil/

10. ☐ The tenant is deceased, intestate (not having made a legal will), and without next of kin.

11. Landlord provided a Notice of Intent to File a Complaint for Summary Ejectment (Failure to Pay Rent) to the tenant on _____ Date _____

by ☐ first-class mail – mail service certificate of mailing ☐ affixed to door of the leased property ☐ delivered electronically – proof of transmission.

I do solemnly affirm under the penalties of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

Print Name of Signer (Landlord/Attorney/Agent) _____ Signature of Landlord/Attorney/Agent _____ Attorney Number / Party # _____ Date _____

Address _____ Telephone _____

Continued to _____ Request of _____ E-mail _____ Reason _____

SUMMONS

TO the sheriff or constable (in Wicomico Co., other process server): you are ordered to notify the tenant, assignee, subtenant, or their agent, by personal service, if requested by the landlord, to appear in the District Court to show cause why the demand of the landlord should not be granted. Personal service may be performed at the property subject to this complaint or at any other known address. If the landlord has not requested personal service, or if at least one person to be served cannot be located and served, affix an attested copy of the summons and complaint conspicuously on the subject property and mail a copy to the tenant, assignee, or subtenant by first-class mail to the address specified by the landlord. In the case of a deceased tenant, notify the occupant or next of kin of the deceased tenant by the same procedure.

Judge/Clerk _____ Date _____

DC-CV-082
(Rev. 10/01/2024)

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¿Necesita ayuda legal o asistencia con el alquiler? Hable con un abogado en un Centro de Ayuda de Los Tribunales de Maryland. Gratis. En línea. En persona. Por teléfono. mdcourts.gov/helpcenter, 410 260-1392.



DISTRICT COURT OF MARYLAND FOR _____

Located at _____

Landlord _____ Affixed on Premises _____

Address _____ Date _____

City _____ State _____ Zip _____ ☐ Mailed to Tenant

① Tenant _____ ② Tenant _____

③ Tenant _____ ④ Tenant _____ Constable/Sheriff _____

Address _____ Served on Party: _____

City _____ State _____ Zip _____

Date _____ Date _____

FAILURE TO PAY RENT - LANDLORD'S COMPLAINT FOR REPOSSESSION OF RENTED PROPERTY (REAL PROPERTY § 8-401)

- The property is described as: _____, Maryland.
- Is the property required to be licensed in order to operate as a rental property?
☐ No ☐ Yes, provide License number and expiration date _____
☐ Yes, but unlicensed because: ☐ exempt; ☐ of reasons under RP § 8-406(c)(1)(iii), (iv), or (v); ☐ other: _____
- The property: ☐ is affected property under § 6-801, Environment Article, its registration with the MDE is current, and its registration has been renewed as required; MDE inspection certificate number, _____, is valid for the current tenancy; or ☐ owner is unable to state Certificate No. because: ☐ exempt ☐ tenant refused access or to relocate/vacate for remedial work. ☐ The property is not affected.
- The tenant rents from the landlord who asks for possession of the property and a judgment for the amount determined to be due.
- This ☐ is not ☐ is a government subsidized tenancy ☐ § 8 ☐ other. Tenant is responsible to pay the following amount of rent: \$ _____ due on the _____ of the ☐ week ☐ month, which has not been paid or reduced to judgment.
 As of today, rent is due for the ☐ weeks ☐ months of _____ in the total amount of \$ _____ less tenant payments of \$ (_____) for utility bills, fees, and security deposits under PU § 7-309 / RP § 8-212.3. \$ _____ Net Rent
 Late charges accruing in or prior to the month in which the complaint was filed for the ☐ weeks ☐ months of _____ are due in the amount of \$ _____
- _____ SUBTOTAL \$ _____
- ☐ The landlord requests rent becoming due after the date of filing, but due by the date of trial in the amount of _____ \$ _____
- _____ TOTAL \$ _____
- The landlord requests foreclosure of the tenant's rights of redemption due to prior judgments; prior case numbers and judgment dates within the past 12 months: _____
- ☐ All the tenants on the lease are listed above. ☐ At least one tenant is in the military service. ☐ No tenant is in the military service and the facts supporting this statement are: _____
Specific facts must be given for the court to conclude that each tenant who is a natural person is not in the military.
- ☐ I am unable to determine whether or not any tenant is in the military service. ☐ Verified through DOD at: scra.dmdc.osd.mil
- ☐ The tenant is deceased, intestate (not having made a legal will), and without next of kin.
- Landlord provided a Notice of Intent to File a Complaint for Summary Ejectment (Failure to Pay Rent) to the tenant on _____
 by ☐ first-class mail – mail service certificate of mailing ☐ affixed to door of the leased property ☐ delivered electronically – proof of transmission.

I do solemnly affirm under the penalties of perjury that the matters and facts set forth above are true to the best of my knowledge, information, and belief.

Print Name of Signer (Landlord/Attorney/Agent) _____ Signature of Landlord/Attorney/Agent _____ Attorney Number / Party # _____ Date _____

Address _____ Telephone _____

E-mail _____ Reason _____

Continued to _____ Request of _____

SUMMONS

TO the sheriff or constable (in Wicomico Co., other process server): you are ordered to notify the tenant, assignee, subtenant, or their agent, by personal service, if requested by the landlord, to appear in the District Court to show cause why the demand of the landlord should not be granted. Personal service may be performed at the property subject to this complaint or at any other known address. If the landlord has not requested personal service, or if at least one person to be served cannot be located and served, affix an attested copy of the summons and complaint conspicuously on the subject property and mail a copy to the tenant, assignee, or subtenant by first-class mail to the address specified by the landlord. In the case of a deceased tenant, notify the occupant or next of kin of the deceased tenant by the same procedure.

Judge/Clerk _____ Date _____

Notice: If judgment for a sum certain was entered, you may file a request that this judgment be recorded.

DC-CV-082
(Rev. 10/01/2024)

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 ¿Necesita ayuda legal o asistencia con el alquiler? Hable con un abogado en un Centro de Ayuda de Los Tribunales de Maryland. Gratis. En línea. En persona. Por teléfono. mdcourts.gov/helpcenter, 410 260-1392.

NOTICE TO THE TENANT

1. If you need an **interpreter** or a **reasonable accommodation under the Americans with Disabilities Act**, please contact the court immediately.
2. The court may limit the use of cell phones and other electronic devices in certain areas of the courthouse.
3. Your landlord is required by law to give you a written notice that they intend to file a case against you ten (10) days before filing the complaint for failure to pay rent. If you did not receive the notice, tell the judge at the beginning of your hearing.
4. This complaint asks the court to evict you for not paying rent. The landlord can include rent that isn't due on the date the landlord filed but is due before the trial date. This is sometimes called "future rent." It is listed on line seven (7) of the complaint.
5. You have the right to go to court and to be heard by a judge. The date and time of your hearing are stamped on the first page of this complaint.

If you decide to go to court:

- Please be early and bring this paper with you.
 - If you have paid your rent and late fees by the trial date, bring your receipt, and show it to the judge when your case is called.
 - If your lease requires the landlord to pay the gas or electric bill and you ended up paying it, bring proof of payment to court.
 - If you believe that you have paid your rent and fees in full or that the amount the landlord says you owe is wrong, bring proof with you.
 - If you believe that you have any other defense to this complaint, be prepared to state all the facts clearly to the judge.
 - You have the right to bring a lawyer with you to represent you at the hearing. Under the **Access to Counsel in Evictions Law**, all income qualified tenants will have access to an attorney. Call 211 or visit legalthelpmd.org to see if you qualify.
6. **What happens next if the court enters a judgment for the landlord?**
- The court has entered a judgment for possession for the landlord: this means that you have lost your case.
 - If you don't pay the rent and late fees due within seven (7) business days, the court will sign a Warrant of Restitution if requested by the landlord. The court will send the warrant to the sheriff (constable in Baltimore County), who will schedule the eviction.
 - The eviction will be cancelled if you pay all money due, including filing fees, before the eviction occurs, unless the judgment issued by the court is without right of redemption. See next paragraph.
 - If there have been three (3) prior judgments (four (4) in Baltimore City) against you in rent court for this property in the past twelve (12) months, the judgment of possession will be without right of redemption. This means that even if you pay all money due before the date of eviction, the landlord can still evict you.
 - You have the right to appeal to the Circuit Court. File a Notice of Appeal with the clerk of the District Court no later than four (4) business days from the date of judgment. The court may require you to post a bond to keep the eviction from happening until after the Circuit Court decides your appeal. You must continue to pay rent during the appeal period.
7. **Shielding:**
- **If you won your case:** The court will shield all court records in the case if the court does not enter a judgment against you.
 - **If you lost your case:** If the court enters a judgment for possession against you, you may petition the court to shield the case records if at least twelve months have passed since the final resolution of the case AND you exercised the right of redemption by paying all past due amounts before eviction. You may also petition to shield if you can show other good cause to shield.
8. **Baltimore City only:**
- (a) The landlord must give you notice of the first scheduled eviction date by (1) mailing the notice to you by first-class mail at least fourteen (14) days in advance of the scheduled date, AND (2) posting the notice on the property at least seven (7) days before the scheduled date. You may challenge whether the notices were properly sent and posted. Any challenge will be referred to a judge for decision. If the judge decides the challenge in your favor, the eviction will be cancelled. The landlord may apply for a new Warrant of Restitution.
 - (b) Abandoned property: when the eviction is completed, any property you leave behind is considered abandoned. The landlord may dispose of the property by transporting it to a licensed landfill, donating it to charity, or any other lawful means.

AVISO A LAS PERSONAS QUE HABLAN ESPAÑOL

Esta es una denuncia por incumplimiento de pago de la renta. La traducción al español de este formulario se encuentra en el Internet en:
mdcourts.gov/sites/default/files/court-forms/district/forms/civil/dccv082bls.pdf
El folleto informativo en español también se encuentra en el Internet en:
mdcourts.gov/sites/default/files/court-forms/district/forms/civil/dccv082tbrs.pdf
Usted también podrá llevar este formulario a la Oficina del Secretario del Tribunal de Distrito, a la dirección que aparece en la parte de arriba del reverso de este formulario, y el secretario le entregará una traducción impresa, el folleto en español y proporcionará la asistencia de un intérprete si es necesario. Para obtener información sobre los programas de asistencia para pagar el alquiler o sobre la ley que se aplica en su situación, comuníquese con el Centro de autoayuda del tribunal. Por teléfono: 410-260-1392 En línea: mdcourts.gov/helpcenter

**DISTRICT COURT OF MARYLAND FOR _____**

Located at _____

Court Address

Telephone _____

City/County

Case No. _____

Landlord (Plaintiff)

VS.

Tenant (Defendant)

Address of Landlord/Attorney

Address of Tenant

City, State, Zip

Telephone

City, State, Zip

Telephone

**COMPLAINT AND SUMMONS AGAINST TENANT HOLDING OVER
(Real Property § 8-402)**

The complaint of the plaintiff shows:

1. The plaintiff is the landlord of the premises located at: _____
2. Is the property required to be licensed in order to operate as a rental property?
☐ No ☐ Yes, provide license number and expiration date: _____
☐ Yes, but unlicensed because: ☐ exempt; ☐ of reasons under RP § 8-406(c)(1)(iii), (iv), or (v); ☐ Other _____
3. The defendant occupied the premises as a periodic tenant or unlawfully holds the premises after the expiration of the lease. The rental for the premises is \$ _____ per _____.
4. The plaintiff served the defendant on _____, with a written notice (copy is attached), to vacate the premises and to deliver possession to the plaintiff on _____.
5. The plaintiff claims restitution of the possession of the premises and ☐ damages of \$ _____.

SCRA INFORMATION

- ☐ At least one tenant is in the military service.
☐ No tenant is in the military service. The facts supporting this statement are: _____

Specific facts must be given for the court to conclude that each tenant who is a natural person is not in the military.

- ☐ I am unable to determine whether or not any tenant is in the military service. ☐ Verified through DOD at: scra.dmdc.osd.mil

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Signature of Plaintiff or Attorney

Attorney Number

Address

Printed Name

City, State, Zip

Date

Telephone

Fax

E-mail

SUMMONS

STATE OF MARYLAND, _____:

To the sheriff/constable:

IT IS ORDERED that you notify by first-class mail and summon, the tenant, assignee, or sub-tenant to appear in the District Court shown above on _____ at _____ ☐ AM ☐ PM and to show cause, if any, why restitution of the possession of the premises should not be made to the plaintiff, together with damages the court may allow, and that if the tenant does not appear, judgment may be entered against the tenant for the relief demanded;

IT IS FURTHER ORDERED that if you are unable to serve the summons on the tenant, assignee, or sub-tenant on the property, or upon the known or authorized agent of the tenant, assignee, or sub-tenant, you are to affix a copy of the summons conspicuously upon the property.

Issued on _____, and returnable to this court on or before _____.

Date

Date

Date

Judge/Clerk

ID Number

NOTICE TO THE TENANT: If there is any rent due, the landlord may, prior to the trial date shown, file a summary ejectment proceeding for failure to pay rent, and a warrant of restitution (eviction) may be issued.

Information about available protections for pets during an eviction can be found through the Maryland Department of Agriculture's website at mda.maryland.gov/Pages/Pets-and-eviction.aspx

To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of a cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

Need legal help or rental assistance? Talk with a lawyer at a Maryland Court Help Center. Free. Online. In Person. By Phone.

¿Necesita ayuda legal o asistencia con el alquiler? Hable con un abogado en un

Centro de Ayuda de Los Tribunales de Maryland. Gratis. En línea. En persona. Por teléfono.

mdcourts.gov/helpcenter. 410 260-1392.

DC-CV-080 (Rev. 10/2023)

SHERIFF/CONSTABLE RETURN TO COURT

- ☐ I mailed a copy of Writ of Summons, Complaint, and all supporting papers by first-class mail to

_____, on _____, _____ ☐ AM ☐ PM.
Tenant(s) Date Time

- ☐ I served a copy of Writ of Summons, Complaint, and all supporting papers by delivery to

_____, _____ on _____, _____
Name Title Date Time ☐ AM ☐ PM at _____
Location

The person I left the papers with acknowledged being: (1) a resident of above listed address; (2) 18 years of age or older; (3) of suitable discretion in that the relationship to the defendant is _____

and that; (4) the above listed address is the defendant's residence or usual place of abode. The facts upon which I concluded that the individual served is of suitable age and discretion are: _____

Description of the person served: Race _____ Sex _____ Ht _____ Wt _____ Hair _____ Eyes _____ Age _____

Other _____

- ☐ Neither the tenant(s) nor a person in possession of the property could be served so I affixed an attested copy of Writ of Summons and Complaint conspicuously upon the premises described in complaint on _____
Date

Date

Signature of Sheriff/Constable

Printed Name

Reset

**DISTRICT COURT OF MARYLAND FOR**

Located at

Court Address

City/County

Telephone

Case No.

Plaintiff/Landlord/Agent

Address of Plaintiff/Landlord/Agent

City

State

Zip

① Defendant/Tenant

② Defendant/Tenant

③ Defendant/Tenant

④ Defendant/Tenant

Address of Defendant(s)/Tenant(s)

City

State

Zip

☐ EVICTED☐ CANCELED MOVE☐ CANCELED PAID☐ CANCELED☐ EXPIRED

Plaintiff/Landlord/Agent

Constable/Deputy/Sheriff

Constable Number

Date

FOR OFFICE USE ONLY**PETITION FOR WARRANT OF RESTITUTION**

On _____ the court:

☐ determined the amount due to be \$ _____, plus costs of \$ _____☐ ordered that possession of the premises described as _____ be returned to the plaintiff/landlord.☐ found the defendant/tenant does not have the right to redeem.

The defendant/tenant:

☐ has paid (if any): \$ _____ leaving a balance due of \$ _____ (not including court costs) as of the date of the filing of this petition.

The plaintiff/landlord requests a warrant to be issued for possession of the premises.

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Date

Telephone Number

Fax

E-mail

Signature of Plaintiff/Landlord/Agent/Attorney

Attorney Number

Printed Name

Address

City, State, Zip

ORDER FOR WARRANT OF RESTITUTIONIt is **ORDERED** that a Warrant of Restitution be issued and that:☐ the judgment for possession may be redeemed by payment for rent and late fees in the amount of:\$ _____ plus court-awarded costs in the amount of:\$ _____ minus any payments made after _____ in the amount of:\$ _____ for a total amount of:\$ _____

payable to the plaintiff/landlord or their agent by cash, certified check, money order, or an electronic or written check issued by a political subdivision or on behalf of a governmental entity.

☐ the judgment for possession may not be redeemed.**WARRANT OF RESTITUTION**

State of Maryland, City/County of: _____

To sheriff/constable:

☐ Unless defendant/tenant pays the plaintiff/landlord or their agent by cash, certified check, money order, or an electronic or written check issued by a political subdivision or on behalf of a governmental entity in the amount of \$ _____ plus \$ _____ costs, you are directed to deliver possession of the premises to the plaintiff/landlord or their agent or attorney and, unless local law requires otherwise, to remove from the premises, by force if necessary, all property of the defendant(s)/tenant(s) and any other occupant(s) within 60 days of the date of this order.☐ The judgment for possession may not be redeemed. You are directed to deliver possession of the premises to the plaintiff/landlord or their agent or attorney and, unless local law requires otherwise, to remove from the premises, by force if necessary, all property of the defendant(s)/tenant(s) and any other occupant(s) within 60 days of the date of this order.

Date

Judge

ID Number

TENANTS: NOTICE OF EVICTIONThe court has ordered you to be evicted. If the property is in Baltimore City, special procedures apply. See notice on back page for general information and for special procedures in Baltimore City. Need free legal help? Call 410-260-1392 or mdcourts.gov/helpcenter**NOTICE:** To request a foreign language interpreter or reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

DC-CV-081 (Rev. 10/2023)

Reset**NOT VALID UNLESS SIGNED BY JUDGE**

DEFENDANT/TENANT INFORMATION

You can stop an eviction for Failure to Pay Rent by paying the amount that the court determined to be due, plus costs, unless the court has foreclosed your right of redemption. Not sure? Talk with a lawyer for free at a Maryland Court Help Center.

Call 410-260-1392 (Mon-Fri, 8:30 AM - 8:00 PM) or visit mdcourts.gov/helpcenter.

Information about available protections for pets during an eviction can be found through the Maryland Department of Agriculture's website at mda.maryland.gov/Pages/Pets-and-eviction.aspx

DEFENDANT/TENANT INFORMATION

(Real Property § 8-401(f) & (g))

The court has ordered enforcement of the judgment for possession that has been entered against you. **THIS MEANS THAT YOU CAN BE FORCIBLY REMOVED (EVICTED) FROM THE PREMISES AT ANY TIME AFTER THE DATE OF THIS ORDER, WITHOUT WARNING. THIS MAY BE YOUR ONLY WARNING.**

If you have made payment(s) to redeem the property but the landlord does not agree, the court will determine the proper amount. If the court has ordered possession without the right of redemption you may not remain on the premises unless you and the landlord agree in writing that you may stay. Not sure? **Talk with a lawyer for free at a Maryland Court Help Center.**

Call 410-260-1392 (Mon-Fri, 8:30 AM - 8:00 PM) or visit mdcourts.gov/helpcenter.

On the day of the eviction, the sheriff or constable will meet your landlord at the property to witness the eviction. At that time, your landlord may remove your property from the premises. The sheriff or constable will not protect your property.

If the sheriff or constable is forced to put you out, your property could become lost, stolen, or damaged. You may be required to pay for the removal, moving, or storage of your possessions.

DEFENDANT/TENANT INFORMATION – Baltimore City (only)

(Baltimore City Housing & Urban Renewal Subtitle 8A)

The landlord in a failure to pay rent case, must provide notice to the tenant of the first scheduled eviction date in two ways:

1. **Notice mailed by first-class mail** with a certificate of mailing at **least 14 days** before the first scheduled eviction date; **AND**
2. **Notice posted on the premises at least 7 days** before the first scheduled date of eviction.

The day of mailing or posting is Day 1. Day 14 must be no later than the day before the scheduled date of eviction. Count holidays and weekends.

If you or the sheriff believe the notices were not properly provided, the sheriff may refer the issue to a judge to decide.

- If the judge determines that the landlord **DID NOT** give proper notice, the eviction will be vacated/cancelled, and the landlord may apply for a new Warrant of Restitution.
- If the judge determines that the landlord **DID** give proper notice, the sheriff will execute the eviction immediately.

THE FOLLOWING APPLIES TO ALL EVICTIONS: When the sheriff returns possession of the property to the landlord, any of your personal property left in or around the rental unit is considered abandoned. You have no right to the property. The landlord may not put abandoned property in the street, sidewalk, alley, or on any public property. Illegal dumping of abandoned property from an eviction is a misdemeanor. Offenders are subject to a penalty of up to \$1000 per day. A landlord may transport property to a landfill or solid waste facility or donate it to charity.

MOBILE HOMES

Failure to Pay Rent - (Real Property § 8A-1701) - Judgment has been entered in favor of the park owner for possession of the premises. This warrant orders that the park owner be put in possession of the premises and that the mobile home be removed. You may have the right to redeem the premises by paying the amount owed plus late fees and court costs by cash, certified check, or money order. If you have received three judgments of rent due in the past 12 months, the landlord may foreclose your right to redeem the premises.

Tenant Holding Over - (Real Property § 8A-1702) - Judgment has been entered in favor of the park owner for possession of the premises. This warrant orders that the park owner be put in possession of the premises and that the mobile home be removed.

FREE LEGAL HELP

Talk with a lawyer at a Maryland Court Help Center. Call 410-260-1392 (Mon-Fri, 8:30 AM - 8:00 PM) or visit mdcourts.gov/helpcenter. We can help an individual with a civil legal problem. We cannot help agents, relatives or third parties. We cannot help businesses, such as LLCs or sole proprietorships.

AVISO A LAS PERSONAS QUE HABLAN ESPAÑOL

(NOTICE TO SPANISH SPEAKING INDIVIDUALS)

Esta es una solicitud para retornar la posesión de la propiedad al demandante/arrendador/dueño. La traducción al español de este formulario se encuentra en el Internet en: <http://www.mdcourts.gov/district/forms/civil/dccv081bls.pdf>

El folleto informativo en español también se encuentra en el Internet en:

<http://www.mdcourts.gov/district/forms/civil/dccv082tbrs.pdf>

Usted también podrá llevar este formulario a la Oficina del Secretario del Tribunal de Distrito, a la dirección que aparece en la parte de arriba del reverso de este formulario, y el secretario le entregará una traducción impresa, el folleto en español y proporcionará la asistencia de un intérprete si es necesario.

This is a petition to give back possession of the premises to the plaintiff/landlord/owner.

A Spanish translation of this form is available on the Internet at:

mdcourts.gov/sites/default/files/import/district/forms/civil/dccv081bls.pdf

Spanish informational brochure is also available online at:

mdcourts.gov/sites/default/files/court-forms/dccv082tbrs.pdf

You may also take this form to the District Court Clerk's Office at the address at the top on the reverse side of this form and the clerk will provide you with the printed translation, Spanish brochure and Interpreter assistance, if needed.

DC-CV-081 (Rev. 10/2023)

**DISTRICT COURT OF MARYLAND FOR**

Located at

Court Address

City/County

Telephone

Case No.

Plaintiff/Landlord/Agent

Address of Plaintiff/Landlord/Agent

City

State

Zip

① Defendant/Tenant

② Defendant/Tenant

③ Defendant/Tenant

④ Defendant/Tenant

Address of Defendant(s)/Tenant(s)

City

State

Zip

☐ EVICTED☐ CANCELED MOVE☐ CANCELED PAID☐ CANCELED☐ EXPIRED

Plaintiff/Landlord/Agent

Constable/Deputy/Sheriff

Constable Number

Date

FOR OFFICE USE ONLY**PETITION FOR WARRANT OF RESTITUTION**

On _____ the court:

☐ determined the amount due to be \$ _____, plus costs of \$ _____☐ ordered that possession of the premises described as _____ be returned to the plaintiff/landlord.☐ found the defendant/tenant does not have the right to redeem.

The defendant/tenant:

☐ has paid (if any): \$ _____ leaving a balance due of \$ _____ (not including court costs) as of the date of the filing of this petition.

The plaintiff/landlord requests a warrant to be issued for possession of the premises.

I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Date

Telephone Number

Fax

E-mail

Signature of Plaintiff/Landlord/Agent/Attorney

Attorney Number

Printed Name

Address

City, State, Zip

ORDER FOR WARRANT OF RESTITUTIONIt is **ORDERED** that a Warrant of Restitution be issued and that:

☐ the judgment for possession may be redeemed by payment for rent and late fees in the amount of:\$ _____ plus court-awarded costs in the amount of:\$ _____ minus any payments made after _____ in the amount of:\$ _____ for a total amount of:\$ _____ (Date petition is filed) payable to the plaintiff/landlord or their agent by cash, certified check, money order, or an electronic or written check issued by a political subdivision or on behalf of a governmental entity.

☐ the judgment for possession may not be redeemed.

WARRANT OF RESTITUTION

State of Maryland, City/County of: _____

To sheriff/constable:

☐ Unless defendant/tenant pays the plaintiff/landlord or their agent by cash, certified check, money order, or an electronic or written check issued by a political subdivision or on behalf of a governmental entity in the amount of \$ _____ plus \$ _____ costs, you are directed to deliver possession of the premises to the plaintiff/landlord or their agent or attorney and, unless local law requires otherwise, to remove from the premises, by force if necessary, all property of the defendant(s)/tenant(s) and any other occupant(s) within 60 days of the date of this order.

☐ The judgment for possession may not be redeemed. You are directed to deliver possession of the premises to the plaintiff/landlord or their agent or attorney and, unless local law requires otherwise, to remove from the premises, by force if necessary, all property of the defendant(s)/tenant(s) and any other occupant(s) within 60 days of the date of this order.

Date

Judge

ID Number

NOTICE: To request a foreign language interpreter or reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

DC-CV-081 (Rev. 10/2023)

Reset**NOT VALID UNLESS SIGNED BY JUDGE**

**DISTRICT COURT OF MARYLAND FOR**

Located at

Court Address

City/County

Case No.

Tenant(s)

Address

City, State, Zip

vs.

Landlord(s)/Agent(s)

Address

City, State, Zip

Telephone Number

Serve By:

☐

Sheriff/Constable

☐

Certified Mail

☐

Private Process Server

**COMPLAINT FOR RENT ESCROW and BREACH OF WARRANTY OF HABITABILITY
(Real Property §§ 8-211 & 8-212)**

1. I rent the property located at _____
2. My rent is \$ _____ ☐ per month ☐ per week I last paid my rent on: _____
Address City State Zip
Date
3. The property has: *Check all that apply.*
☐ no heat ☐ no running water ☐ inadequate sewage disposal facilities
☐ no hot water ☐ no electricity ☐ fire hazard ☐ rodent infestation in 2+ units
☐ structural defect which presents a serious and substantial threat to the physical safety of occupants
☐ other serious and substantial threat to the life, safety or health of an occupant (*describe*) _____
4. The landlord was notified of the above issues on _____ by the following method(s): *Check all that apply.*
☐ in person ☐ by phone ☐ text message ☐ in writing ☐ regular mail ☐ certified mail
☐ e-mail ☐ other written notice ☐ other actual notice ☐ a written violation, condemnation, or other notice
☐ other: _____
5. I am asking the court to: *Check all that apply.*
☐ order the landlord to fix the problems
☐ allow me to pay my rent to the court until the problems are fixed
☐ reduce my rent to \$ _____ until the problems are fixed
☐ reduce my rent, paid or owed, starting from when my landlord was first told about these problems, in the **total amount** of \$ _____
☐ give me back the rent paid to the court, after all problems are fixed
☐ end my lease
☐ (Breach of Warranty of Habitability only) award damages in the amount of \$ _____
☐ (Breach of Warranty of Habitability only) terminate the lease, return any unused portion of the security deposit, and award relocation expenses
☐ award attorney fees, costs, and expenses related to this case
☐ other: _____
6. Prior judgments:
☐ During the last 12 months, the landlord has obtained _____ judgments for possession of this property against me.
Total # of judgments
7. Additional paperwork is attached to this petition: ☐ Yes ☐ No

MILITARY SERVICE AFFIDAVIT

I hereby affirm under the penalty of perjury that my landlord ☐ is ☐ is not in the military service. That facts on which I base this statement are: _____. OR, ☐ I don't know whether my landlord is in the military service.

Date and signature as to the Complaint and the Affidavit:

Date

Signature of Tenant or Attorney

Attorney Number

WRIT OF SUMMONS**TO THE LANDLORD:**

You are summoned to appear for trial on _____ at _____ in this court to answer the Complaint for Rent Escrow and Breach of Warranty of Habitability above.

Date

Signature of Clerk

To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

DC-CV-083 (Rev. 10/2024)

Reset

**DISTRICT COURT OF MARYLAND FOR**

Located at _____

Court Address

Telephone _____

City/County _____

Case No. _____

Landlord (Plaintiff)

Address of Landlord/Attorney _____

City, State, Zip _____

Telephone _____

VS.

Tenant (Defendant)

Address of Tenant _____

City, State, Zip _____

Telephone _____

COMPLAINT AND SUMMONS AGAINST TENANT IN BREACH OF LEASE**(Real Property § 8-402.1)**

1. Plaintiff is the landlord of the premises located at: _____ and occupied by the defendant as tenant, under a written lease which expires on _____ Date _____.
2. Is the property required to be licensed in order to operate as a rental property? _____
☐ No ☐ Yes, provide license number and expiration date: _____
☐ Yes, but unlicensed because: ☐ exempt; ☐ of reasons under RP § 8-406(c)(1)(iii), (iv), or (v); ☐ other _____
3. The lease permits the landlord to recover the premises if the tenant breaches the lease. The tenant is in breach of the lease because _____ (attach second sheet if necessary).
4. The landlord has given the tenant ☐ 30 days written notice ☐ 14 days written notice (because the breach causes a clear and imminent danger of serious harm to others or the property of the landlord), that the tenant is in violation of the lease, and that the landlord desires to repossess the premises. The written notice is dated _____, and a copy of that notice is attached to this complaint.
5. The tenant or person in actual possession has not vacated the premises.
 The plaintiff asks for an Order of Restitution of the possession of the leased premises ☐ and court costs of \$ _____
☐ All the tenant(s) on the lease are listed above.

SCRA INFORMATION

- ☐ At least one tenant is in the military service.
☐ No tenant is in the military service. The facts supporting this statement are: _____
- Specific facts must be given for the court to conclude that each tenant who is a natural person is not in the military.
- ☐ I am unable to determine whether or not any tenant is in the military service. ☐ Verified through DOD at: scra.dmdc.osd.mil
 I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Signature of Landlord/Attorney _____ Attorney Number _____
 Printed Name _____
 Date _____ Telephone _____

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

SUMMONS**STATE OF MARYLAND, _____ :**

To the sheriff/constable:

IT IS ORDERED that you notify by first-class mail and summon the defendant to appear in the District Court shown above on _____ Date _____ at _____ Time _____ ☐ AM ☐ PM and to show cause, if any, why restitution of the possession of the property should not be made to the plaintiff, and that if the defendant does not appear, judgment may be entered against the defendant for the relief demanded;

IT IS FURTHER ORDERED that if you are unable to serve the summons on the defendant, or upon the known or authorized agent of the defendant, you are to affix a copy of the summons conspicuously upon the property.

Returnable to this court on or before _____ Date _____

 Date _____ Judge/Clerk _____ ID Number _____

NOTICE TO THE TENANT: If there is any rent due, the landlord may, prior to the trial date shown, file a summary ejectment proceeding for failure to pay rent, and a warrant of restitution (eviction) may be issued.

Information about available protections for pets during an eviction can be found through the Maryland Department of Agriculture's website at mda.maryland.gov/Pages/Pets-and-eviction.aspx

To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

Need legal help or rental assistance? Talk with a lawyer at a Maryland Court Help Center. Free. Online. In Person. By Phone.
 ¿Necesita ayuda legal o asistencia con el alquiler? Hable con un abogado en un Centro de Ayuda de Los Tribunales de Maryland. Gratis. En línea. En persona. Por teléfono. mdcourts.gov/helpcenter 410 260-1392.

DC-CV-085 (Rev. 10/2023)

**DISTRICT COURT OF MARYLAND FOR**

Located at

Court Address

Telephone

City/County

Case No.

Landlord (Plaintiff)

VS.

Tenant (Defendant)

Address of Landlord/Attorney

Address of Tenant

City, State, Zip

Telephone

City, State, Zip

Telephone

**COMPLAINT AND SUMMONS AGAINST TENANT IN BREACH OF LEASE
(Real Property § 8-402.1)**

1. Plaintiff is the landlord of the premises located at: _____ and occupied by the defendant as tenant, under a written lease which expires on _____ Date.
2. Is the property required to be licensed in order to operate as a rental property?
☐ No ☐ Yes, provide license number and expiration date: _____
☐ Yes, but unlicensed because: ☐ exempt; ☐ of reasons under RP § 8-406(c)(1)(iii), (iv), or (v); ☐ other _____
3. The lease permits the landlord to recover the premises if the tenant breaches the lease. The tenant is in breach of the lease because _____ (attach second sheet if necessary).
4. The landlord has given the tenant ☐ 30 days written notice ☐ 14 days written notice (because the breach causes a clear and imminent danger of serious harm to others or the property of the landlord), that the tenant is in violation of the lease, and that the landlord desires to repossess the premises. The written notice is dated _____, and a copy of that notice is attached to this complaint.
5. The tenant or person in actual possession has not vacated the premises.
 The plaintiff asks for an Order of Restitution of the possession of the leased premises ☐ and court costs of \$ _____
☐ All the tenant(s) on the lease are listed above.

SCRA INFORMATION

- ☐ At least one tenant is in the military service.
☐ No tenant is in the military service. The facts supporting this statement are: _____
- Specific facts must be given for the court to conclude that each tenant who is a natural person is not in the military.
- ☐ I am unable to determine whether or not any tenant is in the military service. ☐ Verified through DOD at: scra.dmdc.osd.mil/
 I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Signature of Landlord/Attorney		Attorney Number		Address	
Printed Name		City, State, Zip		Fax	
Date	Telephone			E-mail	

SUMMONS

STATE OF MARYLAND, _____ :

To the sheriff/constable:

IT IS ORDERED that you notify by first-class mail and summon the defendant to appear in the District Court shown above on _____ Date at _____ Time ☐ AM ☐ PM and to show cause, if any, why restitution of the possession of the property should not be made to the plaintiff, and that if the defendant does not appear, judgment may be entered against the defendant for the relief demanded;

IT IS FURTHER ORDERED that if you are unable to serve the summons on the defendant, or upon the known or authorized agent of the defendant, you are to affix a copy of the summons conspicuously upon the property.

Returnable to this court on or before _____ Date.

_____ Date	_____ Judge/Clerk	_____ ID Number
------------	-------------------	-----------------

NOTICE TO THE TENANT: If there is any rent due, the landlord may, prior to the trial date shown, file a summary ejectment proceeding for failure to pay rent, and a warrant of restitution (eviction) may be issued.

Information about available protections for pets during an eviction can be found through the Maryland Department of Agriculture's website at mda.maryland.gov/Pages/Pets-and-eviction.aspx

To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

Need legal help or rental assistance? Talk with a lawyer at a Maryland Court Help Center. Free. Online. In Person. By Phone.
 ¿Necesita ayuda legal o asistencia con el alquiler? Hable con un abogado en un Centro de Ayuda de Los Tribunales de Maryland. Gratis. En línea. En persona. Por teléfono. mdcourts.gov/helpcenter 410 260-1392.

DC-CV-085 (Rev. 10/2023)

SHERIFF/CONSTABLE RETURN TO COURT

- ☐ I mailed a copy of Writ of Summons, Complaint, and all supporting papers by first-class mail to

_____, on _____ ☐ AM ☐ PM.
Tenant(s) Date Time

- ☐ I served a copy of Writ of Summons, Complaint, and all supporting papers by delivery to

_____, _____ on _____
Name Title Date Time ☐ AM ☐ PM at _____
Location

The person I left the papers with acknowledged being: (1) a resident of above listed address; (2) 18 years of age or older; (3) of suitable discretion in that the relationship to the defendant is _____

and that; (4) the above listed address is the defendant's residence or usual place of abode. The facts upon which I concluded that the individual served is of suitable age and discretion are: _____

Description of the person served: Race _____ Sex _____ Ht _____ Wt _____ Hair _____ Eyes _____ Age _____

Other _____

- ☐ Neither the tenant(s) nor a person in possession of the property could be served so I affixed an attested copy of Writ of

Summons and Complaint conspicuously upon the premises described in complaint on _____
Date

Date Signature of Sheriff/Constable

Printed Name

**DISTRICT COURT OF MARYLAND FOR**

Located at

Court Address

Telephone

City/County

Case No.

Landlord (Plaintiff)

Address of Landlord/Attorney

City, State, Zip

Telephone

VS.

Tenant (Defendant)

Address of Tenant

City, State, Zip

Telephone

**COMPLAINT AND SUMMONS AGAINST TENANT IN BREACH OF LEASE
(Real Property § 8-402.1)**

1. Plaintiff is the landlord of the premises located at: _____ and occupied by the defendant as tenant, under a written lease which expires on _____ Date _____.
2. Is the property required to be licensed in order to operate as a rental property?
☐ No ☐ Yes, provide license number and expiration date: _____
☐ Yes, but unlicensed because: ☐ exempt; ☐ of reasons under RP § 8-406(c)(1)(iii), (iv), or (v); ☐ other _____
3. The lease permits the landlord to recover the premises if the tenant breaches the lease. The tenant is in breach of the lease because _____ (attach second sheet if necessary).
4. The landlord has given the tenant ☐ 30 days written notice ☐ 14 days written notice (because the breach causes a clear and imminent danger of serious harm to others or the property of the landlord), that the tenant is in violation of the lease, and that the landlord desires to repossess the premises. The written notice is dated _____, and a copy of that notice is attached to this complaint.
5. The tenant or person in actual possession has not vacated the premises.
 The plaintiff asks for an Order of Restitution of the possession of the leased premises ☐ and court costs of \$ _____
☐ All the tenant(s) on the lease are listed above.

SCRA INFORMATION

- ☐ At least one tenant is in the military service.
☐ No tenant is in the military service. The facts supporting this statement are: _____
- Specific facts must be given for the court to conclude that each tenant who is a natural person is not in the military.
- ☐ I am unable to determine whether or not any tenant is in the military service. ☐ Verified through DOD at: scra.dmde.osd.mil/
 I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Signature of Landlord/Attorney	Attorney Number
Printed Name	
Date	Telephone

Address
City, State, Zip
Fax E-mail



DISTRICT COURT OF MARYLAND FOR

Located at

Court Address

Telephone

City/County

Case No.

Landlord (Plaintiff)

Address of Landlord/Attorney

City, State, Zip

Telephone

VS.

Tenant (Defendant)

Address of Tenant

City, State, Zip

Telephone

COMPLAINT AND SUMMONS AGAINST TENANT IN BREACH OF LEASE

(Real Property § 8-402.1)

1. Plaintiff is the landlord of the premises located at: _____ and occupied by the defendant as tenant, under a written lease which expires on _____ Date.
2. Is the property required to be licensed in order to operate as a rental property?
☐ No ☐ Yes, provide license number and expiration date: _____
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3. The lease permits the landlord to recover the premises if the tenant breaches the lease. The tenant is in breach of the lease because _____ (attach second sheet if necessary).
4. The landlord has given the tenant ☐ 30 days written notice ☐ 14 days written notice (because the breach causes a clear and imminent danger of serious harm to others or the property of the landlord), that the tenant is in violation of the lease, and that the landlord desires to repossess the premises. The written notice is dated _____, and a copy of that notice is attached to this complaint.
5. The tenant or person in actual possession has not vacated the premises.
 The plaintiff asks for an Order of Restitution of the possession of the leased premises ☐ and court costs of \$ _____
☐ All the tenant(s) on the lease are listed above.

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☐ No tenant is in the military service. The facts supporting this statement are: _____
- Specific facts must be given for the court to conclude that each tenant who is a natural person is not in the military.
- ☐ I am unable to determine whether or not any tenant is in the military service. ☐ Verified through DOD at: scra.dmde.osd.mil/
 I solemnly affirm under the penalties of perjury that the contents of this document are true to the best of my knowledge, information, and belief.

Signature of Landlord/Attorney _____ Attorney Number _____
 Printed Name _____
 Date _____ Telephone _____

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

DISPOSITION

- The following parties appeared on final trial date: ☐ landlord ☐ tenant 1 ☐ tenant 2 ☐ tenant 3 ☐ tenant 4
- | | |
|--|---|
| ☐ Judgment in favor of landlord
☐ By default ☐ After trial ☐ By consent
☐ For possession of the premises described in the complaint
☐ and \$ _____ costs.
☐ Voluntary dismissal by _____
☐ Landlord ☐ Stipulation of parties | ☐ Case dismissed
☐ Landlord FTA ☐ No party appeared
☐ Other _____
☐ Judgment for tenant
☐ After trial ☐ By consent
☐ Execution stayed until _____
☐ Execution stayed by filing an approved appeal bond in the amount of \$ _____ |
|--|---|

 Date

 Judge

 ID Number

FREQUENTLY ASKED QUESTIONS

DO I NEED A LAWYER?

In some instances, corporations and certain other business entities must be represented by an attorney. Otherwise, you are not required to have a lawyer, although one could be helpful to you.

WHAT HAPPENS IN COURT?

When both sides appear: the court will hear both sides of a case and make a decision. If the landlord wins, the court will enter a judgment of possession, and if there was personal service on the tenant, the court may also issue a money judgment in the amount of rent and costs due.

When the landlord fails to appear: the court will most likely dismiss the case.

When the tenant fails to appear: the court will most likely enter a judgment in favor of the landlord.

WHAT SHOULD I BRING WITH ME TO COURT? You should bring all of your evidence, that is, whatever you have that you believe would support your claim or defense.

HOW DO I REQUEST A POSTPONEMENT?

You should make your request in writing prior to the court date, send a copy of your request to the opposing party, and certify that you have done so. However, you may also request a postponement in court on the trial date.

HOW DOES THE EVICTION PROCESS WORK?

In a Failure to Pay Rent case, if the tenant does not pay all rent and costs determined by the court to be due, the tenant may be evicted. If a landlord has obtained a judgment of possession, a request for a **Warrant of Restitution must be filed within 60 days of the judgment or the expiration of any stay of execution.**

Generally, the tenant may prevent eviction by paying all rent and costs due at any time before the eviction. This is known as the tenant's right of redemption.

Exception: Foreclosure of the right of redemption: If there have been three (3) prior judgments for possession (4 in Baltimore City) in the preceding twelve (12) months, the court may foreclose (deny) the right of redemption.

WHAT ARE MY RIGHTS TO A JURY TRIAL?

Jury trials are held in the circuit court, not the District Court. If the amount of the claim exceeds \$25,000, or if the value of the tenant's interest in the leasehold is greater than \$25,000, either party may request a jury trial. Jury trial requests must be in writing. In a residential tenancy, a request for a jury trial may be filed no later than the first appearance of the parties in District Court.

HOW DO I COLLECT MONEY DAMAGES?

The court cannot collect money for you. It is your responsibility to collect damages awarded by the court. For more information, see District Court brochure titled Post-Judgment Collection (DC-CV-060BR).

NEED LEGAL HELP?

The Maryland Judiciary's Help Centers are staffed by trained attorneys and provide brief free legal advice on all civil matters, including questions regarding landlord/tenant proceedings. For more information, please call 410-260-1392 or visit mdcourts.gov/helpcenter

HOW DO I FILE AN APPEAL?

Each party has the right to appeal by filing an appeal on form DC-CV-037. In Failure to Pay Rent cases, the appeal must be filed no later than four (4) business days after the date of judgment. In all other actions for possession, the appeal must be filed no later than ten (10) calendar days after the date of judgment. Whether the appeal is *de novo* (a new trial) or on the record depends on the amount in controversy. The filing of an appeal does not automatically stop the eviction. Posting the bond ordered by the court will stop the eviction until the circuit court decides the appeal.

MEDIATION: AN ALTERNATIVE

The District Court's Alternative Dispute Resolution Program (ADR) offers mediation free of charge.

It is less formal, less time-consuming and less costly than going to court. A trained mediator will work with both sides to try to arrive at a mutually agreeable solution. If mediation is not successful, you may still seek a decision by the court.

For more information on Maryland courts and procedures, please contact a clerk in any state or county courthouse or visit the Maryland Judiciary website:

mdcourts.gov

It is the mission of the District Court of Maryland to provide equal and exact justice for all who are involved in litigation before the court.

Information contained in this brochure is intended to inform the public and is not intended to serve as legal advice. This brochure is subject to revision at any time without prior notice. Any reproduction of this material must be authorized by the Office of the Chief Clerk of the District Court of Maryland.

DC-CV-082BR (Rev. 10/2024)



How
Landlords
Can Resolve
Disputes
with
Tenants

Information
for Landlords

RIGHTS AND REMEDIES OF THE LANDLORD

GENERAL INFORMATION

Filing with the Court:

Please make sure that your paperwork is accurate and legible. You must provide proof that the property is in compliance with local rental licensing requirements, if applicable. All correspondence with the court after the initial filing should include the case number and a certification that you sent a copy to the tenant. The proper location for filing is in the county where the property is located.

The Servicemembers Civil Relief Act:

In any action against a tenant, federal law requires you to provide, in the paperwork that you file, specific facts regarding whether each tenant is in the military. One source for obtaining this information is the Dept. of Defense Manpower Data Center: scra.dmdc.osd.mil/

For more information go to the Judiciary website at mdcourts.gov and follow the link to the Servicemembers Civil Relief Act at mdcourts.gov/reference/scra

Service of Process: In all cases a summons must be delivered to (served on) the tenant(s).

Types of service are:

1. **Posting & Mailing** - the sheriff or constable posts the paper(s) in a conspicuous place, usually the door of the rented property, and

2. **Personal Service** - the sheriff or constable personally delivers the paper(s) to the tenant(s). Generally, posting is sufficient for a judgment for possession of the property, but personal service is required for a money judgment. You can also arrange for personal service in addition to the service by the sheriff.

Notes Regarding Eviction:

Eviction cannot take place on a Sunday or a holiday. The sheriff or constable must be present. The landlord is not responsible for notifying the tenant of the timing of the eviction, but doing so will give the tenant the opportunity to remove personal property.*

The tenant is responsible for all property removed from the premises.

(*Exceptions may apply due to local laws)

Information about available protections for pets during an eviction can be found through the Maryland Department of Agriculture's website at:

mda.maryland.gov/Pages/Pets-and-eviction.aspx

ILLEGAL ENTRY, LOCKOUT, OR DIMINUTION OF SERVICES BY LANDLORD

1. When the landlord enters the rental premises without legal authority, you can file:

- Complaint for Breach of the Covenant of Quiet Enjoyment (on DC-CV-001, the District Court Complaint form), or
- Petition for Peace Order (DC-PO-001, DC-PO-001A, DC-PO-001S; see brochure CC-DC-DV-PO-001BR for more details), or
- a criminal trespass charge.

2. When landlord unlawfully locks a tenant out or otherwise unlawfully causes a diminution of services to the tenant, tenant may be entitled to be placed back in possession of the property, or an award of actual monetary damages, attorneys fees, and costs, depending on the circumstances.

Specific Rights and Court Remedies

TENANT FAILS TO PAY RENT

Do I have to do anything before filing?

Yes. Before filing a Complaint for Failure to Pay Rent, the landlord is required to provide to the tenant a written notice of the landlord's intent to file a claim in the District Court to recover possession of the residential premises if the tenant does not pay the rent owed within ten (10) days after the notice is provided to the tenant. The Notice of Intent to File a Complaint for Summary Ejectment (DC-CV-115) is available at: mdcourts.gov/district/forms.

What to file: Failure to Pay Rent - Landlord's Complaint for Repossession of Rented Property (DC-CV-082).

Licensing: If a county or subdivision requires a landlord to be licensed in order to rent the property the landlord is required to list the licensing information on the complaint and to have proof of licensure in court.

Warrant of Restitution: May be filed no sooner than seven (7) business days from the date of judgment.

Appeal Period: Within four (4) business days from the date of judgment.

Mobile Home Parks: The procedures are similar to those in an ordinary failure to pay rent case, but the applicable time periods are different. The appeal period is two (2) days from the date of judgment; the warrant of restitution may be filed no sooner than fifteen (15) calendar days from the date of judgment. See form DC-CV-082MH for more detailed information.

TENANT REFUSES TO LEAVE

What to file: Complaint and Summons Against a Tenant Holding Over (DC-CV-080).

Do I have to do anything before filing?

Yes. You must give the tenant written notice to quit. Generally, you must give notice: (1) at least seven (7) days before the expiration of a week-to-week tenancy with a written lease agreement, or 21 days prior to the expiration of a week-to-week tenancy without a written lease agreement; (2) at least 60 days before the expiration of a tenancy for a stated term in excess of one (1) week or a month-to-month tenancy; (3) 90 days before the expiration of a year-to-year tenancy.

TENANT BREACHES LEASE

What to file: Complaint and Summons Against a Tenant in Breach of Lease (DC-CV-085).

Do I have to do anything before filing?

Yes. You must give the 30 days written notice that the tenant is in violation of the lease and that the landlord desires to repossess the property (14 days if the violation results in a clear and imminent danger of serious harm).

OCCUPANT (not a tenant) REFUSES TO LEAVE

What to file: Complaint for wrongful Detainer (DC-CV-089) or Grantor in Possession (DC-CV-109).

Do I have to do anything before filing?

No.

Notes: Wrongful Detainer and Grantor in Possession actions are not landlord-tenant actions. The wrongful holder of the property is not a tenant. DO NOT file either if a specific landlord/tenant action exists.

FREQUENTLY ASKED QUESTIONS

DO I NEED A LAWYER?

In some instances, corporations and certain other business entities must be represented by an attorney. Otherwise, you are not required to have a lawyer, although one could be helpful to you.

WHAT HAPPENS IN COURT?

When both sides appear: the court will hear both sides of a case and make a decision. If the landlord wins, the court will enter a judgment of possession, and if there was personal service on the tenant, the court may also issue a money judgment in the amount of rent and costs due.

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HOW DO I FILE A CLAIM FOR HOUSING DISCRIMINATION?

Housing discrimination complaints are handled by the United States Department of Housing and Urban Development (HUD).

NEED LEGAL HELP?

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DC-CV-082TBR (Rev. 10/2024)



How
Tenants
Can Resolve
Disputes
with
Landlords

Information for Tenants

RIGHTS AND REMEDIES OF THE TENANT

Filing with the Court:

Please make sure that your paperwork is accurate and legible. All correspondence with the court after the initial filing should include the case number and a certification that you sent a copy to the landlord. The proper location for filing is in the county where the property is located.

Specific Problems and Court Remedies

LANDLORD CLAIMS TENANT FAILED TO PAY RENT

Tenant's Rights:

Before filing a Complaint for Failure to Pay Rent, the landlord must send you written notice of their intent to file a claim in the District Court to recover possession of the residential premises if you do not pay the rent owed within 10 days after you are provided the notice.

The notice may be sent by (1) first-class mail; (2) affixed to the door of the premises; or (3) if elected by the tenant, delivered by either electronic mail message, text message, or an electronic tenant portal. 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.

At your hearing, you may challenge whether the landlord gave you the required notice.

SERIOUS HEALTH OR SAFETY ISSUE(S)

What to file: Complaint for Rent Escrow/Breach of Warranty of Habitability (DC-CV-083).

Note: You may also raise a serious health or safety issue as a defense if your landlord files a **Failure to Pay Rent** case against you. The information below regarding notice and what you must prove still applies.

What is covered? Conditions and defects that constitute a fire hazard or a serious and substantial threat to the life, health or safety of occupants, including, but not limited to: (1) lack of heat, light, electricity, or hot or cold water, except where the tenant is responsible for their payment and the lack thereof is the direct result of the tenant's failure to pay, (2) lack of adequate sewage disposal, (3) rodents in two or more dwelling units, (4) structural defect which presents a serious and substantial threat to physical safety, or (5) a condition which presents a health or fire hazard to the dwelling unit.

Minor defects that do not constitute a health or safety hazard are not covered.

Do I have to do anything before filing?

Yes. You must give the landlord **notice** of the defect(s) or condition(s) by: (1) certified mail listing the conditions or defects, (2) actual notice of the defects or conditions, or (3) a notice from a government agency stating the asserted conditions or defects.

What do I have to prove?

(1) The existence of covered condition or defect, (2) notice to the landlord, (3) the landlord was given a reasonable time to make the repair(s) [more than 30 days is presumed by law to be unreasonable], and (4) the landlord has failed to do so.

What can the court do?

If the tenant is successful, the court may do one or more of the following: (1) order the landlord to make the repairs, (2) reduce the rent due, (3) order that the rent be paid into the court escrow instead of to the landlord, or (4) terminate the lease.

LANDLORD FAILS TO RETURN YOUR SECURITY DEPOSIT

What to file: District Court Complaint (DC-CV-001). Note, you must have the landlord personally served.

Do I have to do anything before filing?
No.

What do I have to prove?

(1) The tenancy has terminated and (2) the landlord, without a reasonable basis, failed to return any part of the security deposit, plus accrued interest, within 45 days after the termination of the tenancy.

Tenant's Rights:

(1) You have the right to be present at the inspection of the premises for damages, provided that you gave at least 15 days' notice by certified mail of your intention to move, the date of move, and your new address.

(2) The landlord must send you notice by first-class mail directed to the last known address of the tenant, within 45 days after the termination of the tenancy, a written list of the damages claimed and costs actually incurred.

What can I recover? Up to 3 times the amount wrongfully withheld, plus reasonable attorney's fees.

BREACH OF THE COVENANT OF QUIET ENJOYMENT

What to file: Complaint for Breach of the Covenant of Quiet Enjoyment (on DC-CV-001, the District Court Complaint form).

The Covenant of Quiet Enjoyment means that the landlord must control disturbances to your peaceful enjoyment of the rental property that they have the ability and authority to control.

Note: the court may require that you previously notified the landlord of the problem and gave the landlord a reasonable opportunity to correct it.

ILLEGAL ENTRY, LOCKOUT, OR DIMINUTION OF SERVICES BY LANDLORD

1. When the landlord enters the rental premises without legal authority, you can file:

(a) Complaint for Breach of the Covenant of Quiet Enjoyment (on DC-CV-001, the District Court Complaint form), or
(b) Petition for Peace Order (DC-PO-001, DC-PO-001A, DC-PO-001S; see brochure CC-DC-DV-PO-001BR for more details), or
(c) a criminal trespass charge.

2. When landlord unlawfully locks a tenant out or otherwise unlawfully causes a diminution of services to the tenant, tenant may be entitled to be placed back in possession of the property, or an award of actual monetary damages, attorneys fees, and costs, depending on the circumstances.

SHIELDING OF RECORDS

For cases filed on or after August 1, 2024, the District Court will shield all court records if this case does not result in a judgment of possession. For cases filed on or after October 1, 2024, if this case did result in a judgment of possession, you may petition the court to shield the case records if at least twelve (12) months have passed since the final resolution of this case, and you exercised the right of redemption by paying all past due amounts at any time before eviction. For cases filed on or after October 1, 2024, you may file a petition to shield if you have good cause to shield.

ADDENDUM IV: MLSC Report



**Maryland Access to Counsel
in Evictions Program**

**Fiscal Year 2024
(July 2023 – June 2024)
Submitted by**



MLSC

MARYLAND LEGAL SERVICES CORPORATION

IOLTA - INTEREST ON LAWYER TRUST ACCOUNTS

August 2024 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 (IOLTA) program, and in fiscal year 2024 MLSC provided funding to 44 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 fiscal year;*
- (2) Information on and metrics evaluating case outcomes; and*
- (3) A summary of the engagement and education of tenants.”¹*

MLSC is phasing in ACE over a three-year period, with a statutory goal of full implementation by October 1, 2025. The statute required MLSC to prioritize funding services in jurisdictions designating their own funds for eviction prevention legal services, and therefore the ACE program launched the first phase in eleven jurisdictions in FY23. In FY24, legal services expanded to the remaining jurisdictions across the state.

Case Statistics and Outcomes

The following data represent ACE cases closed during FY24. ACE expanded statewide during FY24 and legal services providers closed cases in every jurisdiction. Participating legal services providers closed 8,894 cases during FY24, representing a 124% increase over last year.² From these closed cases, the legal services providers helped Maryland residents receive more than \$650,000 in housing judgments and avoid more than \$6 million in direct costs. More than 14,000 people were directly affected and benefitted from the representation provided. Of those tenants who received full representation in FY24, 80% avoided disruptive displacement.

Type of Eviction	Cases
Failure to Pay Rent	7,854
Breach of Lease	314
Tenant Holding Over	488
Subsidy Termination	85
Other	153
Total	8,894

¹ MD Code, Real Property, § 8-907

² In FY23, participating legal services providers closed 3,973 cases.



County of Client Residence	Cases
Allegany County	25
Anne Arundel County	1,498
Baltimore City ³	1,731
Baltimore County	1,662
Calvert County	12
Caroline County	49
Carroll County	48
Cecil County	11
Charles County	222
Dorchester County	9
Frederick County	199
Garrett County	8
Harford County	253
Howard County	194
Kent County	21
Montgomery County	396
Prince George's County	2,188
Queen Anne's County	26
St. Mary's County	22
Somerset County	29
Talbot County	28
Washington County	191
Wicomico County	44
Worcester County	28
Total	8,894

Case Outcome	Cases ⁴
Prevented eviction from public or subsidized housing	574
Prevented eviction from other housing	2,444
Prevented termination of housing subsidy	43
Delayed eviction, providing time to either pay-and-stay or seek alternative housing	2,559
Prevented eviction filing	108
Prevented denial of public/subsidized housing tenant's rights	50

³ Does not include more than 650 cases closed under Baltimore City's Right to Counsel in Evictions program, which is separately funded by the City.

⁴ Some grantees report more than one benefit per case for some cases.



Avoided or obtained redress for illegal or unfair charges by landlord	218
Overcame denial of tenant's rights under lease	12
Enforced rights to decent, habitable housing	70
Obtained reasonable accommodation	24
Preserved or restored access to personal property	5
Obtained repairs to dwelling	17
Obtained cash-for-keys, relocation assistance or other tenant settlement	32
Obtained neutral reference from landlord	10
Obtained other benefit for tenant	142
Obtained advice or counseling (client may have declined full representation)	2,112
Obtained representation in litigation or administrative proceeding	980
Client withdrew/benefit unknown	12

Tenant Outreach and Education

During FY24, MLSC contracted with nine community groups to perform tenant outreach and education across the state. Outreach and education efforts were purposefully staggered behind the expansion of legal services so that legal providers could establish their services and ensure their capacity to serve new tenants referred by the outreach providers.

Outreach contractors met six times during FY24 to plan, develop shared messaging, and share best practices. The contractors use a variety of outreach methods – including door-knocking, tabling at community events, partnering with schools and libraries, digital marketing, and more – to inform tenants of their rights and of the existence of the ACE program. Through both targeted efforts and outreach at established community events, outreach contractors provided information to more than 115,000 tenants in FY24. The contractors have also established or strengthened relationships with the legal services providers to offer know-you-rights presentations and streamlined referrals.