



ACCESS TO COUNSEL IN EVICTIONS TASK FORCE



# REPORT OF THE ACCESS TO COUNSEL IN EVICTIONS TASK FORCE JANUARY, 2026



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## Letter From Task Force Chairperson Reena K. Shah

In 2021, Maryland became one of the first states in the country to provide tenants with 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 resulting system served no one well. Our justice system serves Marylanders 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 and our State 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) and recommends ways to improve the program.

Now that the ACE Program has reached full implementation, the Task Force's final report details crucial findings regarding implementation across the State and recommendations to continue refining the Program and its delivery of services. The most important recommendation, as in years past, remains ensuring 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 during next year's legislative session.

Other key recommendations include: (1) ensuring uniformity in the District Courts to enable meaningful implementation of the statewide ACE Law; (2) maximizing the ability of civil legal aid providers to serve all Marylanders effectively regardless of which jurisdiction they call home; (3) coordinating and refining the communications strategies designed to increase awareness of the ACE Law and Program across the State; (4) exploring cutting edge technology and national programs that could serve as additional support structures for Marylanders facing housing issues or eviction; and (5) continuing to forge long-term partnerships among stakeholders to ensure the long-term success of the Program.

Part of forging those long-term partnerships includes the transition of this Task Force from the Maryland Office of the Attorney General to the Department of Housing and Community Development. The OAG served as a crucial stakeholder and partner in getting this Program off the ground, but now that it is at full implementation in courthouses across the State, lawmakers and access to justice stakeholders felt that this body would be better served by repositioning it in

the Office of Landlord and Tenant Affairs within the Division of Homeless Solutions at the Department of Housing and Community Development.

The Office of Landlord and Tenant Affairs is uniquely positioned to serve as the natural home for ongoing collaboration and coordination. This Office sits at the intersection of eviction prevention and housing stability—core missions that align directly with the ACE Program's goals. By housing future coordination efforts within the Office of Landlord and Tenant Affairs, we can ensure seamless integration between access-to-counsel services and our broader eviction prevention initiatives, rental assistance programs, and landlord engagement strategies. The Division of Homeless Solutions' expertise in preventing housing displacement, combined with the Office's existing relationships with both landlords and tenant advocates, creates an ideal environment for continued multi-stakeholder dialogue.

This structural placement also allows us to leverage existing data collection and reporting mechanisms within DHCD, ensuring that insights from the ACE Program inform our broader housing policy and that we maintain the collaborative spirit that has made the Task Force successful. Rather than sunseting these critical conversations entirely, transitioning coordination to the Office of Landlord and Tenant Affairs ensures continuity, institutional knowledge, and a dedicated space for stakeholders to continue strengthening Maryland's approach to eviction prevention and tenant protections.

I want to thank those who are working tirelessly to implement this groundbreaking Program, including the Maryland Legal Services Corporation, State agencies, including the Department of Housing and Community Development and the Office of the Attorney General, 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. And thank you to the Office of the Attorney General staff Louise Flavahan and Tara Miles as well as the Department of Housing and Community Development's staff Alyce Thompson and Danielle Meister for supporting the Task Force's work over the past year.

Finally, on a personal note, it has been an honor to helm this Task Force for the last four years. I am deeply grateful to Attorneys General Brian Frosh and Anthony Brown as well as Secretary Day for putting their trust in me. I am also grateful to the Maryland Access to Justice Commission for being a strong and fair advocate and leader for access, equity and fairness in the civil justice system.

I am proud that the Task Force has played a unique and critical role in providing the only birds-eye view of the many moving parts in the whole system, which has been valuable in identifying challenges and proposing solutions to help us iterate and improve with the end goal of keeping Marylanders housed.

Yet this work is about so much more than housing. Housing is the nexus of our community's well-being; when we stabilize the home, we stabilize the future of our education, our public health, and our economy. Indeed, at its core, this collective work is about restoring dignity and ensuring justice.

Maryland has cemented a place as a national leader in the civil right to counsel movement. We did not just pass a law; we built an infrastructure of delivery that can be a model for other states. The work detailed in all five of our ACE Task Force Reports stands as a testament to what is possible when government, legal providers, and advocates align behind a powerful cost-effective solution.

I step back with full confidence that the next generation of leadership will not only sustain this momentum but will push the boundaries of what we believe is possible.

I invite you to review our journey and our findings in the report below.

With deep gratitude and enduring hope,



A handwritten signature in black ink, appearing to read 'Reena K. Shah'. The signature is fluid and cursive, with a long horizontal line extending to the right.

Reena K. Shah, Esq.

# Members of the Maryland Access to Counsel in Evictions Task Force

## TASK FORCE CHAIR

**Reena K. Shah**

Executive Director

Maryland Access to Justice Commission (Powered by the Maryland State Bar Association)

## REPRESENTATIVES OF THE MARYLAND STATE BAR ASSOCIATION

**Open Seat**

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## LANDLORD REPRESENTATIVES

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**James Johnson**

Property Management Director

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## REPRESENTATIVE OF THE MARYLAND LEGAL SERVICES CORPORATION

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## TENANT REPRESENTATIVES

**LaTonya Abrom**

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**Jason Butler**

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## INTRODUCTION

### *Legislative History of the ACE Program*

During the 2021 legislative session, the Maryland General Assembly passed HB 18,<sup>1</sup> 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.<sup>2</sup> 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 successfully advocated for, three additional years of base-level funding of \$14M per year for implementation of the ACE Law through FY2027.

In its 2025 report, the Task Force recommended making the \$14M annual funding for the ACE Program permanent and transitioning the Task Force to the Department of Housing and Community Development (“DHCD”) – whose newly established Office of Tenant and Landlord Affairs (“OTLA”) makes them uniquely positioned to continue convening stakeholders and monitoring the progress of the ACE Program. And with this fifth report tracking the progress of the ACE Program through full, statewide implementation, the Task Force also recommended removing the reporting requirement once transferred to DHCD. Through advocacy by the Task Force, the Office of the Maryland Attorney General, and other members of the ACE community, the access to justice community succeeded in securing the extension of the \$14M annual contribution through FY2028 and in transitioning the Task Force to DHCD on June 1, 2025, without a formal reporting requirement with the passage of SB 154.<sup>3</sup>

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

<sup>2</sup> See:

<https://govt.westlaw.com/mdc/Browse/Home/Maryland/MarylandCodeCourtRules?guid=N76EF0F00F0D911EBA095BB916A350C82&transitionType=Default&contextData=%28sc.Default%29> and also:

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0018?ys=2021RS>

<sup>3</sup> See: <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/SB0154>

This transition represents the next phase of the ACE Program’s monitoring, with stakeholders reviewing and refining program implementation to ensure tenants who are income eligible and want representation can effectively access counsel as outlined in the ACE Law. Furthermore, DHCD’s expertise and experience in housing issues will strengthen the Task Force’s ability to connect to a broader range of stakeholders and resources in completing their work.

### *About Access to Counsel in Evictions*

Almost five years in, and now at full program implementation, it remains critical to remember why the ACE Law was first passed - to reduce evictions and disruptive displacement 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.<sup>4</sup> 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.”<sup>5</sup> For children, the consequences of an eviction can negatively affect their performance in school, cause or contribute to behavioral issues, and increase health risks.<sup>6</sup> 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.

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

<sup>5</sup> 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](https://scholar.harvard.edu/files/mdesmond/files/desmondkimbro.evictions.fallout.sf2015_2.pdf).

<sup>6</sup> See Matthew Desmond et al., *Evicting Children*, 92 *Soc. Forces* 303, 320 (2013), [https://www.researchgate.net/publication/265737669\\_Evicting\\_Children](https://www.researchgate.net/publication/265737669_Evicting_Children).

- 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 have a critical eye, spot issues and course correct along the way to ensure successful and meaningful implementation. And while this oversight function might look slightly different under DHCD’s leadership, DHCD and the Task Force remain committed to the successful implementation of the ACE Program on behalf of Maryland’s residents.

The Task Force is composed of 15 members who were appointed by the Attorney General of Maryland. Moving forward, since the passage of SB154 in the 2025 legislative session, the Task Force members will be appointed by Secretary of DHCD, including a Chair designated by the Secretary of DHCD. And the Task Force will be staffed by DHCD.

After submitting its 5<sup>th</sup> report in 2026, the Task Force will no longer be required to report its findings and recommendations to the Governor and the General Assembly. However, this report will recommend that the Task Force consider the production of some sort of short annual product that documents the findings and any recommendations to be made based on the status of implementation.

Prior to the passage of SB154, the Task Force was required to produce an annual report to the Governor and the General Assembly by January 1 of each year. Thus far, the Task Force has delivered four reports. The inaugural 2022 Report laid out the roadmap for implementation of the

ACE Law (“Roadmap Report”)<sup>7</sup> and the 2023<sup>8</sup> and 2024<sup>9</sup> Reports captured the very beginnings and nascent stages of the implementation of the ACE Law and the ACE Program, while the 2025<sup>10</sup> Report tracked the Program’s progress towards full, statewide implementation.

After the Task Force delivered its 2025 Report, it resumed its work during the fall of 2025, in preparation to deliver this fifth and final annual report. Starting in September 2025, the Task Force held seven plenary meetings in total,<sup>11</sup> inviting all key stakeholders to share information about the progress in implementation of the Program.

At the meetings, the Task Force heard from key ACE Program 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 MLSC<sup>12</sup> to represent tenants facing eviction, as well as the organizations managing the coordinated intake system,<sup>13</sup> conducting the data and Program evaluation<sup>14</sup> and those doing tenant outreach.<sup>15</sup> 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.<sup>16</sup> The Task Force’s inquiry focused on the status of implementation across the entire state of Maryland; what was working well; and the areas that were of concern and required reform.

In addition to the above topics and stakeholders, Task Force members also explored potential uses for legal technology in landlord/tenant and eviction-related issues; pre- and post-eviction diversions programs that could serve as a complement to the ACE Program; and the potential for a Notice of Intent to File an Eviction Repository in Maryland.

This report captures the Task Force’s findings and recommendations based on these meetings.

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<sup>7</sup> See: [https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//ATC\\_Task\\_Force\\_Report.pdf](https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//ATC_Task_Force_Report.pdf)

<sup>8</sup> See: [https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//2023\\_ACE\\_TF\\_Report.pdf](https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//2023_ACE_TF_Report.pdf)

<sup>9</sup> See: [https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//2024\\_ACE\\_TF\\_Report.pdf](https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//2024_ACE_TF_Report.pdf)

<sup>10</sup> See: [https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//2025\\_ACE\\_TF\\_Report.pdf](https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//2025_ACE_TF_Report.pdf)

<sup>11</sup> 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://oag.maryland.gov/our-office/Pages/Access-to-Counsel-in-Evictions.aspx>.

<sup>12</sup> CASA, Community Legal Services of Prince George’s County, Disability Rights Maryland, Maryland Legal Aid, Shore Legal Access, Pro Bono Resource Center, and Public Justice Center.

<sup>13</sup> United Way of Central Maryland and Civil Justice, Inc.

<sup>14</sup> Stout Risius Ross, LLC

<sup>15</sup> Montgomery County Renters Alliance.

<sup>16</sup> Equal Justice Works.

## 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 the Pro Bono Resource Center:**

“Client B met PBRC staff attorneys at rent court and explained that she had numerous safety issues in her home. Among other issues, both she and her son had asthma, which was aggravated

by the presence of mold. The client explained that she could pay her rent but didn't feel that she should have to and simply wanted to have the issues fixed or to be able to move into another home. The attorney raised escrow as a defense to a FTPR. After consolidating the FTPR and escrow matter, the PBRC attorney worked with the client to gather evidence of the substandard conditions in the home. She then summoned the inspector to court for the escrow hearing to provide a detailed report of dangerous conditions, including the mold, electrical problems, lead paint evidence, and other health and safety problems. The landlord agreed to a stipulated dismissal of the FTPR, which included a return of the escrow funds, security deposit and other reimbursements. The clients achieved her goal of moving from the unsafe home with the financial means to secure subsequent housing.”

**From CASA:**

“Our client Mercedes was informed that she would be evicted on September 30, after multiple errors by the landlord. The landlord filed three FTPR actions against her for months of rent which she did not legally owe to the landlord - she paid months of rent into escrow which were ordered returned to her. The landlord secured three judgments against Mercedes and sought that her right to redemption be revoked in the last. Once the case came to our attention, a CASA housing attorney filed on September 29 an emergency motion to quash the warrant for eviction, as well as a motion to vacate the three eviction judgments and restore the right of redemption. Two of these motions were granted, preventing the eviction, and we await a ruling on the last motion, which would restore her right to redemption.

**From Maryland Legal Aid:**

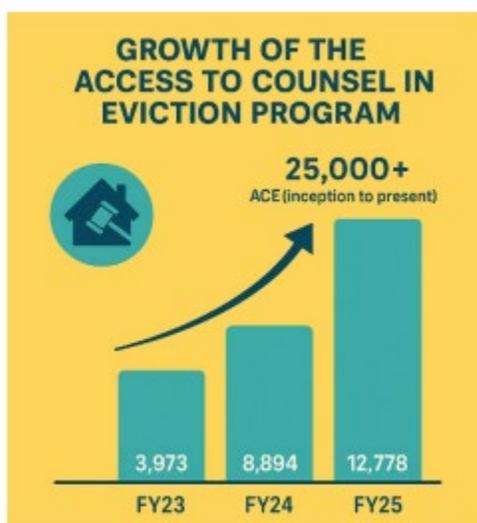
“In our Allegany / Garrett County office, one of our attorneys worked to meet the unique needs of Ms. X, a client with a visual impairment. Ms. X originally called us because she had received a notice alleging lease violations from her landlord. However, it became clear that the allegations involved housekeeping matters that Ms. X could resolve. While Ms. X receives some services to accommodate her visual disability, her providers were not always available. MLA's team worked to accommodate Ms. X's needs so that she could be an active participant in her case. Team members promptly forwarded transcribed voicemails from Ms. X, read documents to her over the phone, and communicated with her consistently to ensure she fully understood her situation and how to resolve it. However, Ms. X's landlord then filed a tenant holding over action against her that also sought monetary amounts for alleged damages to the unit. At this point, Ms. X determined that she would rather relocate and was hopeful that she wouldn't have to pay for damages she did not believe she had caused. With those goals in mind, our attorney was able to successfully negotiate with the landlord to achieve Ms. X's request: the landlord dropped their

claim for monetary damages and agreed to a stay that allowed Ms. X sufficient time to move to her new unit.

## UPDATES AND FINDINGS

### Executive Summary

Now in its fifth year, the ACE Program and its various components have been running Statewide for over a year, and, during FY2025, ACE attorneys closed 12,778 cases – a 44% increase over FY2024. This brings the total number of cases closed since the ACE Program’s launch in 2022 to over 25,000.



*Graphic courtesy of MLSC*

MLSC reports that, with Statewide delivery of the Program up and running, the ACE Program has moved “from start-up phase to a period of sustained delivery and refinement.”<sup>17</sup> Based on this growth trajectory, MLSC expects that, while the ACE Program’s funding needs will continue to grow, that growth will be on a more moderate trajectory with a focus on Program management and strategic reinvestment rather than rapid expansion.

Despite this unknown, it is clear that the ACE Program is providing undeniable benefit to Maryland residents and the State as a whole. According to Stout, the organization tasked with evaluating the Program, the ACE Program provides approximately \$46.7 million in annual fiscal impacts and economic benefits, amounting to a \$3.04 return for every \$1 invested by the state.<sup>18</sup>

<sup>17</sup> “Maryland Access to Counsel in Evictions Program JCR 2025 Final Implementation and Future Costs Report.” MLSC, November 2025.

<sup>18</sup> Stout reported that this figure is in line with ROI seen in other jurisdictions and states with similar right to counsel/access to counsel programs, meaning that Maryland is meeting the national standards on fiscal impacts.

Furthermore, according to Stout’s analysis, approximately 88% of clients indicated that they wanted to stay in their home, and, of this group, approximately 87% 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 25,000 cases, Maryland’s unique landscape – where eviction filing rates are substantially higher than surrounding states<sup>19</sup> – presents challenges in understanding the true need of ACE-eligible tenants. And with over 368,000 failure to pay rent filings in FY2025 alone, but only 12,778 cases closed by civil legal aid providers during the same fiscal year, Task Force members are left wondering whether all ACE-eligible tenants who want to access counsel in the course of their eviction are able to do so. It is important to highlight that the answer to this question and addressing the true unmet need in Maryland could dramatically alter the funding needs of the Program.

Additionally, challenges remain in achieving Statewide consistency across jurisdictions and from courtroom to courtroom; in ensuring that all ACE-eligible tenants are aware of the Program as well as their rights under the ACE Law and can meaningfully access counsel; and in ensuring the long-term financial viability of the Program and the pipeline of ACE attorneys.

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 \$17.6 million dollars, with future projections of funding needed to support ongoing implementation of the Program of \$22.1 million in FY2026 and \$26.85 million in FY2027.<sup>20</sup>

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<sup>19</sup> For example, in Maryland, roughly 400,000 eviction filings are made annually, which is more than all both Pennsylvania and Virginia’s annual filings 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/>

<sup>20</sup> 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.

Currently, the Program is funded with \$14 million annually from the state’s abandoned property fund through FY 2027. The remaining funding needed for the Program’s statewide implementation is made up of state and federal grants and other sources secured by MLSC – including the modest revenue of \$2.5 million MLSC receives from the increase in eviction filing fees<sup>21</sup> that went into effect on October 1, 2024. 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 over \$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 specifically highlights 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 – especially as federal loan forgiveness programs for public service face uncertainty.

As mentioned above, MLSC directs the modest revenue of \$2.5 million garnered from the increase in filing fees to the ACE Program, but MLSC notes that this funding is not enough to sustain the Program nor is it a stable or reliable source of revenue as the number of filings is unpredictable and beyond MLSC’s control. Furthermore, the filing fee increase was implemented by the Maryland General Assembly with the aim of reducing eviction filings and increasing housing stability – meaning that if the legislation’s aims are met, this revenue is likely to decrease over time. In addition to increasing 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, including surcharges that fund MLSC. MLSC reported that these surcharges are a crucial funding source that directly fund their operating grants. This reliable, if unpredictable, source of funding is needed now more than ever as interest rates drop (thus impacting IOLTA accounts) at the same time that grantee funding needs increase. While 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 states<sup>22</sup> – we still recommend that the General Assembly take action to provide stable,

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<sup>21</sup> 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/HB0693?ys=2024RS&search=True>, and here:

<https://dhcd.maryland.gov/TurningTheKey/Documents/HB693-FAQ.pdf>

<sup>22</sup> For example, in Maryland, roughly 400,000 eviction filings are made annually, which is more than all both Pennsylvania and Virginia’s annual filings combined. See:

reliable, and predictable sources of funding to MLSC in order to ensure the longevity of the ACE Program.

Further compounding the need for stable and reliable funding is the fact that pandemic-era Emergency Rental Assistance funds have been spent down at the same time that the federal government has increased their efforts to weaken the remaining social safety nets available to tenants, meaning that there is likely to be an increase in housing instability and subsequent downstream impacts on eviction-related filings and the need for access to counsel in our State. In order for civil legal aid organizations to continue scaling to meet the needs of Marylanders, there must be a continuous and stable source of funding for the ACE Program.

Task Force recommendations based on these findings include:

- During the 2027 legislative session, 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 ahead of the FY2028 expiry.
- The General Assembly should concurrently 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.

### **Program Implementation: Status of the ACE Program and the ACE Task Force**

The Task Force commends MLSC for its successful leadership and management of the ACE Program from its nascent beginnings to full Statewide implementation as of October 1, 2025, in accordance with the ACE Law. MLSC manages the funding and oversight of the ACE Program across 10 civil legal aid organizations and law schools hosting eviction clinics or externships that place students with ACE-providing civil legal aid organizations. The ACE Program is operated by grantee organizations employing 70.11 attorney FTEs,<sup>23</sup> 39.02 paralegal FTEs, and 29.51 other staff FTEs. As noted in the Executive Summary, FY2025 marks a new phase for the MLSC's implementation after a period of rapid growth to expand the ACE Program across the State: sustained delivery and refinement.

Throughout the hearing process this fall, the Task Force heard testimony from both MLSC and Stout regarding the status of implementation and the impact 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.

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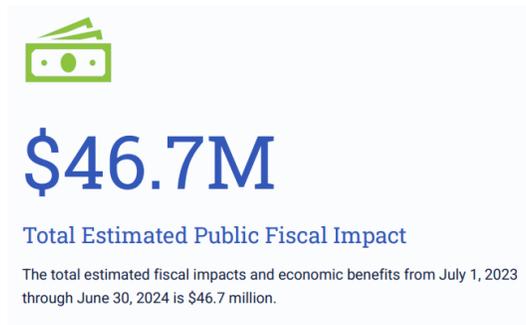
<https://www.delmarvanow.com/story/news/local/maryland/2023/12/06/marylands-rising-eviction-rate-renews-call-for-tenants-rights/71814753007/> and <https://evictionlab.org/>

<sup>23</sup> 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.



*Graphic courtesy of Stout*

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. New figures reflecting data from FY2025 should be available from Stout in 2026.



*Graphic courtesy of Stout*

Finally, during its testimony before the Task Force, DHCD provided an update regarding their new Office of Tenant and Landlord Affairs (“OTLA”), housed within the Division of Homeless Solutions. OTLA is serving as the new home for the Task Force after it left the Maryland Office of the Attorney General on June 1, 2025, in accordance with SB154. OTLA is the primary point of contact for Maryland tenants seeking resources related to their rights and protections or those in need of credit or financial counseling. The Office of Tenant and Landlord Affairs also published their first 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 Stabilization Act.<sup>24</sup> The Tenant Bill of Rights was most recently updated on 10/1/2025.<sup>25</sup> OTLA's expansive mission, depth of expertise, and positioning within the Division of Homeless Solutions makes it ideally situated to convene the Task Force and orient it towards prevention as much as intervention in eviction cases.

SB154 removed the requirement for the Task Force to produce and submit an annual report to the Governor and the General Assembly. This is due to the understanding that many entities, such as DHCD, MLSC, and Stout will continue to produce annual reports focused on the ACE Program and evictions in Maryland, thus obviating the need for a full report from the Task Force. However, to ensure the ongoing viability of the Task Force and its impact, the Task Force recommends continuing to produce an annual product, such as an executive summary of their convenings and findings, or annual policy and advocacy agendas that the access to justice community and ACE stakeholders can work to advance. Identifying this product should be one of the key aims of the Task Force's convenings in 2026.

Additionally, the Task Force's current structure of meetings have been designed to advance the development and production of its annual reports – with this requirement eliminated, DHCD should work with the Task Force members to identify the structure and meeting pace that creates a best fit for purpose to continue troubleshooting and problem-solving among stakeholders with the aim of refining and improving the ACE Program without working towards a formal report.

Task Force recommendations based on these findings include:

- DHCD should work with the Task Force members to identify an annual product that memorializes the work-product of the Task Force.
- DHCD should work with the Task Force to identify the meeting structure and pacing that makes the most sense for their strategic aims.

### **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 FY2025, 12,778 cases were closed by ACE attorneys in the state of Maryland, representing a 44% increase over FY 2024. Of the 12, 778 cases, nearly 90%, or 11, 466, were Failure to Pay Rent cases, 610 were Tenant Holding Over cases, and 456 were for Breach of Lease.

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<sup>24</sup> For more information, see here:

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0693?ys=2024RS&search=True>

<sup>25</sup> See: <https://dhcd.maryland.gov/Tenant-Landlord-Affairs/Pages/Tenants-Bill-of-Rights.aspx>

Type of Eviction	Cases
Failure to Pay Rent	11,466
Breach of Lease	456
Tenant Holding Over	610
Subsidy Termination	74
Other	172
<b>Total</b>	<b>12,778</b>

Stout reported that for the 26,405 households impacted by cases closed in Maryland since the ACE Program began, i.e. between July 1, 2023, and September 30, 2025, over 54,000 Marylanders have directly benefited from ACE services, including 22,700 children.



*Graphic courtesy of Stout*

Stout presented data analyzing the primary goals and outcomes for ACE Program clients who received extended representation.<sup>26</sup> Approximately 83% of clients received extended representation, with the remaining 17% receiving counseling related to their eviction case. Stout noted that this is a slight departure from other jurisdictions that 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. This divergence represents an intentional decision by the ACE Program’s implementers to ensure that ACE funds go towards full representation rather than advice.

Of the 83% of clients receiving extended representation, the three most frequently identified goals were to:

- Prevent an eviction judgment;

<sup>26</sup> As opposed to those who only received counseling regarding their case.

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

### Most Frequently Identified Client Goals

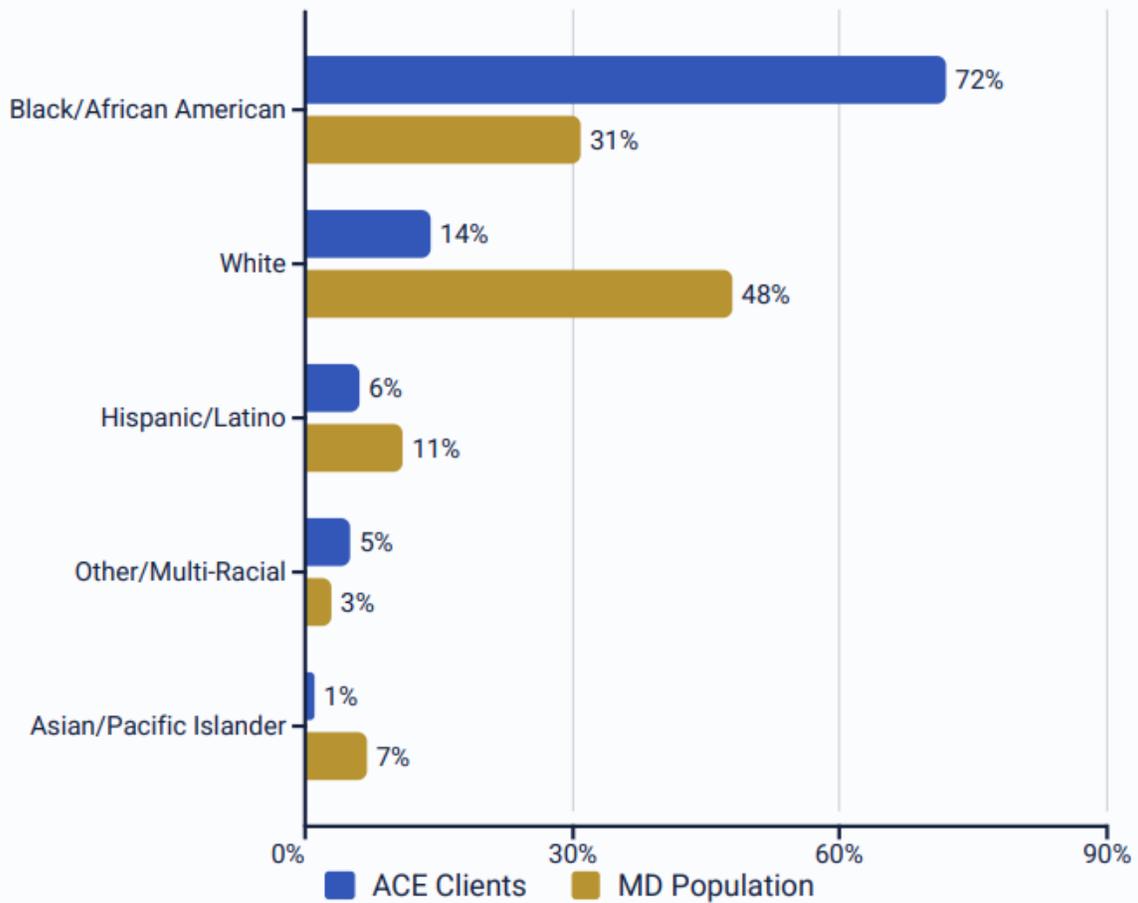
Client Goal	Number of Clients with Goal	Percentage of Clients with Goal	Frequency Goal was Achieved
Prevent Eviction Judgment	5,046	54%	83%
Prevent Involuntary Move	3,448	37%	90%
Secure Time to Move	1,745	19%	93%

Additionally, Stout reported that out of the group receiving extended representation, approximately 88% indicated that they wanted to stay in their home, approximately 87% 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 65% of the closed cases were same-day intakes and 35% 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 – which was similar to FY2024 reporting.

In terms of their equity analysis of the ACE Program’s implementation in Maryland, and as reflected in the graph below, Stout’s findings show that a total of 84% of ACE clients self-identified as non-white, and over 72% identified as Black – which is disproportionately higher than the 31% of Marylanders who identify as Black.

## Racial and Ethnic Identity



*Graphic courtesy of Stout*

Additionally, their findings show that approximately 71% of clients identified as female, while only 51.4% of Maryland’s population identifies as female according to the US Census Bureau,<sup>27</sup> meaning that a disproportionate number of clients identified as Black and female as compared to Maryland’s population, as explained in the graphic below.

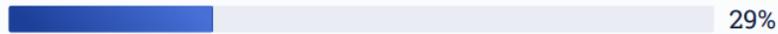
<sup>27</sup> [U.S. Census Bureau QuickFacts: Maryland](#)

## Gender Identity



Female

Compared to 51% of Maryland population



Male

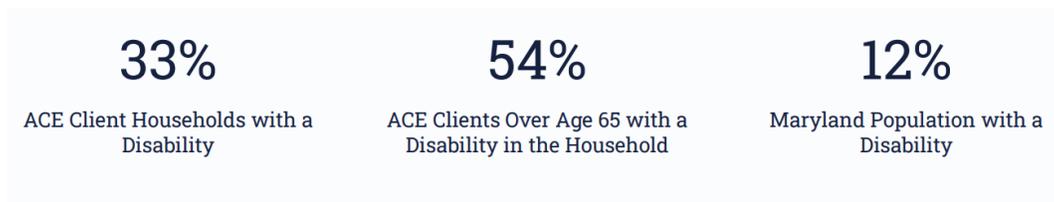
Compared to 49% of Maryland population

ACE clients disproportionately identified as female and Black or African American compared to Maryland's overall population. Approximately 71% of clients identified as female, and approximately 86% of ACE clients identified as non-white.

These demographic patterns reveal how eviction disproportionately affects women and communities of color, reflecting broader systemic inequities in housing access, economic opportunity, and wealth accumulation. The data underscores the critical role of ACE in addressing these disparities.

*Graphic courtesy of 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 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.



*Graphic courtesy of Stout*

## Program Implementation: Perspectives from Civil Legal Aid Organizations

During the hearings hosted by the Task Force this fall and in written testimony follow-ups, a complex story continued to emerge 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. In fact, many were hiring additional attorneys and non-attorney staff to further support their work. However, some organizations also noted that this did not necessarily mean that they were at capacity in terms of meeting the need (i.e. that all income-eligible tenants who wanted legal representation had access to legal representation in the eviction cases) 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. However, challenges in covering eviction dockets in more rural parts of the State, such as the Eastern Shore and Southern Maryland, can be just as challenging. ACE Providers testified about the staffing challenges posed by dockets that are scheduled on the same day in these regions, either at overlapping times or without sufficient time for staff to travel from one court to the next as they try to provide coverage for these large geographic areas. These logistical challenges impede the goal of providing access to counsel at every docket.

Additionally, these organizations pointed to a number of constraints that might prevent them from growing their staff to meet the actual need in the State, including resource needs, difficulty in recruitment and retention (discussed in greater detail below), and a lack of funding to increase organizational infrastructure to manage more staff. These challenges persist despite increased funding and support from MLSC and organizations like Equal Justice Works, which places legal fellows at Maryland-based civil legal aid organizations to support their implementation of the ACE Program.

While some civil legal aid organizations stated that they did not have to turn away eligible clients because of staffing capacity limitations, others did. Additionally, as highlighted in the Executive Summary as the key question that remains before the Task Force, there isn’t currently a clear understanding of how great the need truly is in Maryland. Many providers pointed out that it is likely that not every eligible tenant is aware of the ACE Law/Program and that, therefore, 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. This challenge persists across all civil legal sectors across the country. As living expenses continue to rise and public service loan forgiveness remains under threat at a federal level, many organizations mentioned challenges not only in recruiting future attorneys who view the pathway as potentially unstable given the high costs of a legal education, but also in retaining current attorneys who struggle to make ends meet. As mentioned earlier in the report, 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, however, these very real challenges persist and bolster the need for permanent and ongoing funding of the ACE Program.

Recruitment challenges are historically acute in the rural regions of our state – where housing costs and living expenses aren't necessarily lower than the more densely populated areas of Maryland. This presents a unique challenge for legal service providers in these areas because as few as one civil legal aid 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.

However, successes related to this particular challenge were shared, with Maryland Legal Aid reporting that, beginning in early 2026, they will be offering same-day representation in Cecil County (previously this was unavailable to residents of Cecil County) thanks to a partnership with Equal Justice Works – which was a recommendation that the Task Force made in its 2025 Report. Additionally, Maryland Legal Aid and Shore Legal Access are exploring ways to increase coverage and access to counsel on the Eastern Shore.

Furthermore, MLSC reported that they were able to develop an agreement with Civil Justice to develop and manage a network of contract-based attorneys in the 10 jurisdictions where only Maryland Legal Aid offers services in instances where a conflict prevents Maryland Legal Aid from representing a client in need.

Civil legal aid organizations emphatically renewed the call for remote hearing capacity from the Judiciary which would allow them to more efficiently cover eviction dockets across the State. CASA, whose clients are often immigrants, made a particularly strong case for remote hearings given the fact that many immigrants simply do not go to court due to fears of ICE arrests and deportations.

Relatedly, many legal service providers advocated strongly for remote access to MDEC (the Maryland Electronic Courts project, i.e. the State's Judiciary-wide integrated electronic case management system). Currently, attorneys can only review filings in cases if (1) they represent a party and have entered an appearance in court or (2) if they go to the courthouse where the case is pending and have the clerk pull the file/by going to one of the courthouses with a kiosk where they can pull the file without the help of a clerk. Giving ACE attorneys the ability to review case filings remotely before they are on the case would allow them to advise clients more effectively when providing advice and, for more formal representation, would allow them to quickly and efficiently gather pleadings to assess cases and prepare for trials with tight timelines. In sum, providers noted that it would be highly beneficial to their provision of services, making them more effective and better able to manage/prepare for cases across dockets.

Beyond these challenges, many legal services providers pointed to the issues associated with providing adequate notice to tenants. This is a particular issue in Anne Arundel County, where the time between filing a complaint and trial can be as little as five days. As a result of this expedited timeline, tenants often receive notice of their trial the night before, the morning of, or miss it altogether. Furthermore, jurisdictions do not consistently comply with the Office of the Attorney General's written opinions stating that MLSC pamphlets explaining the ACE Law and

Program must be posted in person and by mail with a notice and that notices must be placed on an individual tenant's door, rather than in common spaces or the front door of a multi-unit dwelling. This Opinion can be found in Addendum III on pages 66-72.

To address compliance with the OAG opinions, the Task Force met with the Maryland Sheriffs' Association as Sheriffs handle the process of delivering notices across all of Maryland's 24 districts. More information about this meeting in the "Program Implementation: Maryland Sheriffs Association" section below.

However, as to adequate notice, the Task Force discussed many options, including extending the required timeline between service and trial date to 15-30 days by law – which has been recommended in the past. However, there was disagreement about this among Task Force members. Some pointed to the fact that the time between filing and trial can take months in certain jurisdictions, such as Montgomery County. During that time, debt continues to accrue, leaving tenants in an even more financially precarious situation that becomes more difficult to resolve by the time they reach the courthouse.

One suggestion to address these and other issues was changing the structure of the eviction process altogether by requiring a two-step format. The first interaction could be a virtual connection to services and resolution opportunities, which would obviate the need for a tenant to come to the courthouse for their first appearance. This first appearance would be focused on connecting eligible tenants to: ACE attorneys, rental assistance providers, and mediation with landlord agents to review ledger discrepancies or successfully dismiss cases where payments have been made. Zoom rooms or other online conferencing mechanisms would make it easier for all parties to appear, and for ACE attorneys to cover dockets more efficiently. This could also obviate the need for a postponement in many cases – due to the connection to resources and swift resolution options –, which would help address the inconsistencies in granting postponements that persist across the State. The second appearance, if needed, would then be a more traditional hearing with many cases likely already on track to resolution through the connections made at the first virtual interaction.

This potential solution requires more research and consideration by the Task Force; however, similar models were shared by Samira Nazem of the National Center for State Courts (NCSC) during her presentation before the Task Force on eviction diversion programs. As discussed further below, NCSC collaborated with several state and local jurisdictions that provide these institutional pathways to connect tenants to legal and social services and some incentives for landlords for the modest increases in timeframes.

Finally, the Equal Justice Works Housing Justice Program mobilized 8 legal fellows and one organizer fellow to work at four Maryland-based legal services organizations for their second cohort of fellows who are serving from 2024 to 2026. The fellows have been placed at Community Legal Services of Prince George's County, Inc., Disability Rights Maryland, Maryland Legal Aid, and Shore Legal Access. Since onboarding in December 2024, fellows have

closed 990 eviction cases, serving a total of 2,407 Marylanders across nine counties. Clients resided primarily in Prince George's County (65%) and Anne Arundel County (31%), where four fellows provide same-day representation in housing court. Clients were primarily female (65%) and Black (69%), and 84% were between 18 and 59 years old. Most cases (94%) were failure-to-pay-rent cases, followed by tenant holding over, breach of lease, and rent escrow defense. 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, the second cohort of fellows have prevented evictions or delayed evictions, providing time for tenants to secure alternative housing in 83% of the eviction cases they handled. Fellows have also secured \$506,500 in recovered and avoided monetary benefits for households at risk of displacement, including through reduced judgments for improper/illegal charges and avoided judgments for dismissals.

Task Force recommendations based on these findings include:

- MLSC should continue to budget for and provide equitable salary increases to ACE attorneys and other professional ACE staff so that their pay remains competitive with salaries in similar public service law fields.
- The Task Force should continue to monitor the impacts of federal actions on housing and evictions in Maryland, both in terms of social safety net cuts and threats to public service loan forgiveness.
- The Task Force should consider developing advocacy around increased upstream prevention programming and funding mechanisms that can help prevent evictions
- The Task Force should consider advocacy around State-level student loan forgiveness efforts for public service loans to strengthen the pipeline of future ACE attorneys as well as the retention of current ACE attorneys.
- The Judiciary should make remote hearings more accessible for eviction hearings across the State.
- MLSC should reach out to the Judiciary's office of Government Relations and Public Affairs to request remote access to MDEC for ACE attorneys.
- The Task Force should work with the Judiciary to explore potential alternate structures for the eviction trial process (including eviction diversion programs as outlined in the "Task Force Future Directions" section at the end of this report) to address timeline, remote hearing, and postponement issues Existing examples and models can be found within the National Center for State Courts.

## **Program Implementation: The 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 their implementation of the ACE Law and Program. Of note is the successful implementation of docket sharing with all civil legal aid organizations across the State in partnership with MLSC. Civil Legal Aid organizations commented that this has been effective and helpful to their efforts to provide legal services to ACE-eligible tenants.

Additionally, some civil legal aid organizations, particularly those practicing in Prince George's County and Baltimore City, cited beneficial relationships between their organizations and other ACE stakeholders and the administrative judges in their jurisdiction. These relationships include regular meetings that allow them to identify and troubleshoot any issues related to ACE implementation. For example, the District Court in Baltimore City has for many years hosted monthly meetings among the landlord-tenant bar, the local sheriff, and administrative judges. Several years ago, this collaboration resulted in the creation of a housing choice voucher docket on Thursdays. The creation of this docket has allowed ACE providers in Baltimore City to be present and prepared for a population who oftentimes have more complex factual records in their cases. It also creates a central docket for housing authority staff to attend, which helps to ensure tenant files and records are available, ultimately benefiting the courts as well. The presence of housing authority staff also allows ACE Providers to meet with them to resolve issues early with the aim of preventing litigation.

However, despite these important strides, there remains inconsistency in jurisdictions and courtrooms across the State. Some judges make announcements about the ACE Program, allow tenants time to speak with on-site attorneys, and/or grant postponements. However, others remain silent about the ACE Law and Program and do not grant postponements or time to tenants to secure representation.

While the Task Force appreciates the need for the autonomy granted to administrative judges to run their courtrooms and dockets in the manner that best serves their community, this discretion can result in uneven implementation of the ACE Law and Program. This directly impedes the ability of eligible tenants to receive meaningful access to counsel and for legal service providers to meet the charge of the law.

The Task Force discussed many potential avenues for the Judiciary to standardize the ACE Program's implementation in a way that still respects this deference and autonomy. Of note, the Judiciary is already undertaking to bring some standardization and common understanding regarding the ACE Law and Program is new training focused on landlord-tenant issues during judicial onboarding. The Task Force was excited to hear about this development and commends the Judiciary for taking this step. The Task Force also recommends that the Judiciary consider making this training, or a version of it, mandatory at regular intervals for all administrative

judges across the State to ensure consistent and ongoing understanding of the ACE Law and the best practices associated with its implementation.

Additionally, last year the Task Force recommended that the Judiciary create a video to be played across the state during opening colloquy that would standardize the sharing of information about the ACE Program in courtrooms across the State. During his presentation, Chief Judge Morrissey stated that the recording had been made but had not been shared yet. The Task Force strongly recommends the rollout of this video as soon as possible.

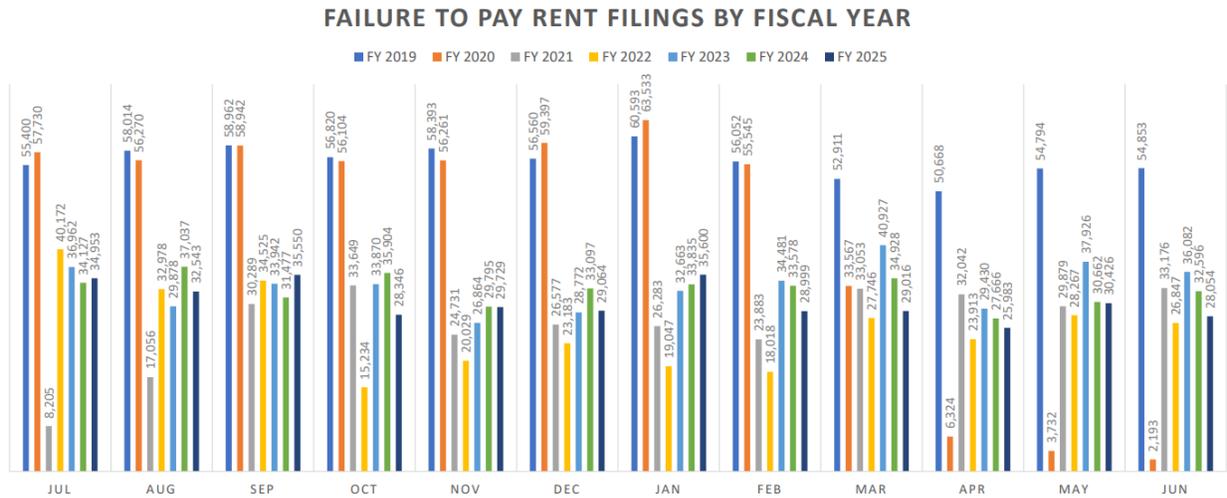
Similarly, last year the Task Force recommended the creation of a bench card that would provide an overview of the ACE Law and Program that could be made available to every judge and in every courtroom. This bench card could provide all judges with a standard understanding of the ACE Law and Program, as well as related housing law, and the needs of the attorneys staffing it. The Task Force makes this same recommendation again and encourages stakeholders and members of the Task Force to work with the Judiciary to achieve this recommendation.

Task Force members also discussed how the Judiciary could create a list of recommended best practices surrounding the ACE Law and Program to be shared with administrative judges across the State. This could include things like recommending regular meetings among administrative judges and civil legal aid providers and other relevant stakeholders, with the goal of identifying and problem-solving issues within the jurisdiction together as well as discussing best practices being implemented successfully in other jurisdictions.

Many civil legal aid organizations also highlighted the need to ensure language translation of important announcements and documents so that all tenants present in the courthouse hear and understand important announcements from the bench.

During his testimony before the Task Force, Chief Judge Morrissey shared important data that had been collected related to eviction proceedings. Importantly, the Chief Judge highlighted that their monthly eviction data from October 2024 through July 2025 showed a 10% decrease in failure to pay rent eviction filings – which may be a result of the increased filing fees that went into effect on October 1, 2024. However, the Chief Judge noted that this trend may be attributable to other factors and that more longitudinal data was needed to fully understand the impact of the fee increase on eviction filings and evictions in the State. However, the Chief Judge also noted that warrant of restitution filings are down as well, which could bolster the correlation between increased fees and reduced filings.

# Failure to Pay Rent Filings

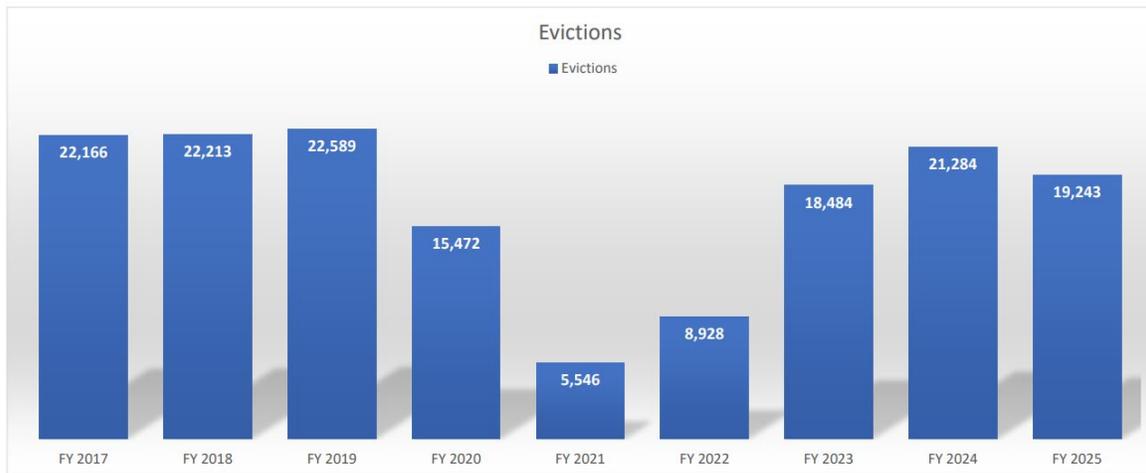


*Failure to Pay Rent Filings, 2019-2025, Graphic courtesy of the Judiciary*

The Chief Judge also noted that evictions, as a whole, are also down, but to a lesser degree. In regard to filing fees, the Chief Judge raised a concern that it may cause landlords to defer filing, resulting in an accrual of debt that a tenant is unable to overcome. That, in turn, could cause an increase in evictions, however, the data does not seem to show a concurrent increase in evictions associated with the increased fees. However, the Chief Judge stressed again that these findings are based on nine months of data collected post-filing-fee-increase through the end of FY2025.<sup>28</sup> More information is needed over time to be able to understand the true impacts of the filing fee increase on landlord activity and eviction filings/outcomes.

<sup>28</sup> i.e. October 1, 2024 – June 30, 2025

## Statewide Evictions by Fiscal Year



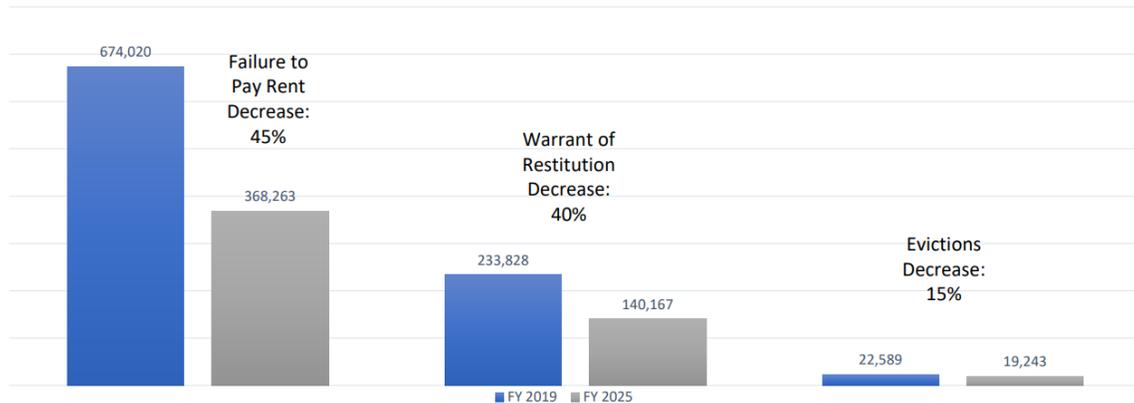
*Statewide Evictions by Fiscal Year, Graphic courtesy of the Judiciary*

Interestingly, the Chief Judge noted that breach of lease filings and tenant holding over filings are up over their pre-pandemic levels in FY2025, but, again, the longer-term impacts of increased filing fees are still unknown.

However, when comparing pre-pandemic levels of failure to pay rent filings, warrant of restitution filings, and overall evictions with FY2025 levels, the Chief Judge noted a significant decrease across each category, as reflected in the graphic below. Notably, as described above, failure to pay rent filings were not only lower compared to pre-pandemic filings, but also down substantially to around 368,000 compared to the ~400,000 filings seen in FY2024 and FY2023.

## Fiscal Years 2019 and 2025 Comparison

### Fiscal Year Filing comparison – 2019 and 2025



*FY2019 and FY2025 comparisons, Graphic courtesy of the Judiciary*

The Chief Judge also took some time to discuss changes made to Judiciary forms related to eviction so that they include references to the ACE Law and Program. This is discussed in greater detail in the section immediately following, however, of note from the Judiciary's perspective is the substantial costs associated with changing these forms, especially in terms of using color. As such, it is important that the Task Force be mindful about requests to change forms and ensure that any suggested changes are made one time and not year over year with small tweaks each time. The Task Force should take time to develop the most impactful and effective changes possible by researching best practices and soliciting input and expertise from external organizations such as the National Center for State Courts before bringing new changes to the Judiciary.

Task Force recommendations based on these findings include:

- The Judiciary should expedite the rollout of the video recording explaining the ACE Law and Program to be played at the beginning of rent court dockets in courthouses across the State.
- The Judicial College should work with MLSC and the Task Force to create a bench card describing the ACE Law and Program to be made widely available in every courtroom in every jurisdiction.
- The Judiciary should promote awareness of the ACE Program among new District Court judges and District Court administrative judges. The Task Force should communicate regularly with District Court leadership to explore ways to promote awareness of the

Program and to help standardize the implementation of the ACE Law and Program across the State.

- District Court administrative judges should meet regularly with ACE providers in their jurisdiction to address issues associated with the ACE Program’s implementation, such as docket sizes, language accessibility, and to develop and share best practices as needed.
- If administrative changes are not sufficient to ensure access to counsel, the Task Force should consider recommending that the Maryland Rules Committee or Maryland General Assembly change the rules or statutes governing eviction actions to ensure that ACE eligible tenants have access to counsel if desired.
- The Task Force should undertake research into best practices surrounding access to counsel language and information in eviction forms and notices, including following up with NCSC and reaching out to other organizations with expertise in this area, before making recommendations regarding future language changes to Judiciary forms.

### **Program Implementation: ACE Program Information in Leases, Official Communications, and Courthouses**

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).

Throughout the hearings, Task Force members heard repeatedly that the earlier tenants can be made aware of the ACE Law and their right to access counsel, the better. As such, the Task Force recommends that information about the ACE Law and Program be made available to tenants in a number of ways and stages throughout the tenancy and eviction process.

#### ***Leases and Public Information in Common Spaces***

To get information to tenants as soon as possible, the Task Force recommends that all landlords serving ACE-eligible tenants and Public Housing Authorities put information about the ACE Law and Program in their lease agreements with tenants.

This information should be clearly recognizable and highlighted through the use of color and text boxes to the extent possible. Landlords and Public Housing Authorities should also share the MLSC pamphlet with tenants and make both the pamphlet and information about the ACE Law and Program available 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.<sup>29</sup> The pamphlet is also included at the end of this report in Addendum 1 on page 55, for reference.

### ***Notices and Official Communications About Evictions***

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 made clearly available in as many places as possible to maximize the opportunities for uptake of the information by eligible tenants. Additionally, throughout the hearings process this fall, the Task Force saw examples of notices from other states that featured eye-catching graphics that made the information easy to view and understand.

Previous Task Force Reports have recommended language to be used in all official court notices and eviction-related documents received by tenants. The Task Force also recommended that the Judiciary require that landlords use the District Court’s form DC-CV-115 to provide tenants the requisite 10-day Notice of Intent to File and not permit the use of forms that are “substantially similar” to it. The Task Force was pleased to learn about the rule change requiring the use of the Judiciary-created Notice of Intent to file form as well as the use of Task Force recommended language about the ACE Law and Program in the Failure to Pay Rent form.

However, the recommended language about the ACE Law and Program has not been added to all forms related to eviction filings such as breach of lease or tenant holding over forms. In fact, the organizations managing the coordinated intake system noted that only approximately 150 of the 6,400<sup>30</sup> households receiving breach of lease or tenant holding over forms reached out to 2-1-1 to access services. This critical gap could be related to a lack of information on these forms, meaning that it is critical to have this information clearly available on all eviction-related forms and filings. Additionally, the Judiciary should make information available about the ACE Law and Program on their website.

Additionally, information about the ACE Law and Program should be included in all communications about lease terminations or evictions to residents from Public Housing Authorities. In prior years, the Task Force was able to meet with Public Housing Authorities and will continue to seek their engagement as their partnership is vital in ensuring tenants receive the rights they are due under the ACE Law.

### ***Standardized Branding and Information at Courthouses***

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<sup>29</sup>Pamphlet is available here: [https://legalthelpmd.org/wp-content/uploads/ACE-Brochure\\_WEB\\_final-2022.08.10-eng.pdf](https://legalthelpmd.org/wp-content/uploads/ACE-Brochure_WEB_final-2022.08.10-eng.pdf) and in Addendum I of this report on pg. 55.

<sup>30</sup> See: [https://www.courts.state.md.us/sites/default/files/import/district/statistics/Fiscal\\_2025.pdf](https://www.courts.state.md.us/sites/default/files/import/district/statistics/Fiscal_2025.pdf).

While information and recommendations concerning a broader outreach and communications strategy can be found in the “Program Implementation: Communications, Outreach, and Education” section below, the Task Force continued to hear that civil legal aid organizations are uniquely branding the ACE Program and using signage in courthouses that is specific to their organizations, which might cause confusion to tenants. To help ensure that income-eligible tenants are easily able to recognize and access legal counsel when they arrive to court, the Task Force recommends common signage and branding related to the ACE Program be developed by MLSC for use in courthouses across the State. This could include sandwich boards, tablecloths, flyers, other signage, and even badges worn by ACE attorneys that make them easily recognizable and accessible to members of the public.

### ***Developing the Most Effective Language and Presentation of ACE Information***

During the fall hearings, the Task Force heard from Samira Nazem of the National Center for State Courts (“NCSC”) who shared examples of notices and language about access to counsel programs in other states. Many of these notices used graphics, text boxes, and color with great effect to make critical information about access to counsel programs easy to see and easy to understand. To make this information as accessible as possible, the Task Force recommends working with NCSC to develop the most effective language and formatting for all notices, leases, and other eviction-related forms explaining the ACE Law and Program based on best practices and lessons learned from other states. However, in the interim, the Judiciary should include existing language regarding the ACE Law and Program to all eviction-related forms to ensure that ACE-eligible tenants are aware of their rights as explained above.

Task Force recommendations based on these findings include:

- 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 existing language about the ACE Law and Program (see the Task Force’s 2025 Report or form DC-CV-115) with design elements such as color blocking, text boxes, or icons that draw attention to this information.

- The Judiciary should make relevant information about the ACE Law and Program and connecting with 211 more prominent and available in all relevant places on their website –

such as on pages sharing resources for the public or where to access help or information regarding their civil legal matter.<sup>31</sup>

- 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 information about the ACE Law and Program in their leases with design elements such as color blocking, text boxes, or icons that draw attention to this information.
- For larger landlords, associations like MMHA and AOBA should help facilitate the inclusion of information about the ACE Law and Program in all leases.
- MLSC should fund the creation of coordinated and unified ACE signage that should be used by ACE providers across the state. The branding should lead with the ACE Program as a core message or umbrella “organization,” with logos of the provider organizations included below in smaller font.
- The Task Force should conduct research, including working with NCSC and other leading organizations, to develop the most effective language and presentation of ACE information for all leases, forms, notices, and official communications related to evictions. This may include developing a collaborative workgroup of Task Force members, advocates, and representatives from the Judiciary, Public Housing Authorities, and organizations representing landlords (such as MMHA and AOBA).
- MLSC and the Task Force 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

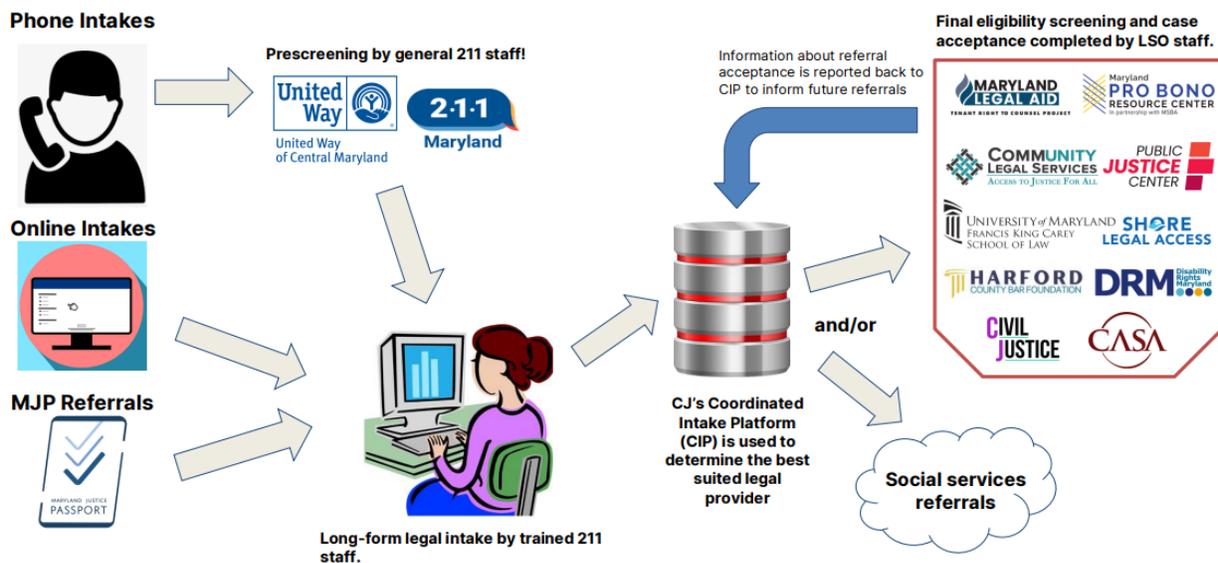
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<sup>31</sup> For example, while a reference to the ACE Program can be found here: <https://www.courts.state.md.us/legalhelp/housing>, it is difficult to find. Making it more prominent can help ensure eligible tenants have the information they need.

for the CIS. Civil Justice Inc. develops the questions and logic trees for the guided intake; works directly with the civil legal aid organizations to assess each organization’s capacities; provides legal expertise and training to UWCM staff; and reviews difficult cases or assists when urgent action is needed. Last year, the Task Force recommended that Civil Justice, Inc. increase its training efforts to expand the knowledge and efficacy of coordinated intake staff. The Task Force was pleased to learn that over the last year, Civil Justice Inc. has expanded and increased their training efforts. The Task Force commends this work.

UWCM runs the centralized telephone number for tenants, 2-1-1,<sup>32</sup> through which it screens and interviews tenants, reviews online intakes, and referrals from the Judiciary’s Court Help Centers. The information gathered through this process is then fed into the coordinated intake platform run by Civil Justice, Inc., which analyzes all the information and connects tenants with the civil legal aid organizations best suited to meet their needs or provides other social service referrals as required. A flow chart representing this process is below.

## Coordinated Intake System for ACE



*Flow-chart demonstrating the Coordinated Intake System, Graphic courtesy of United Way of Central Maryland*

Once the civil legal aid organizations receive a referral, they perform a conflict check and ensure eligibility for their services. If there is conflict or a tenant is ineligible for their services for some

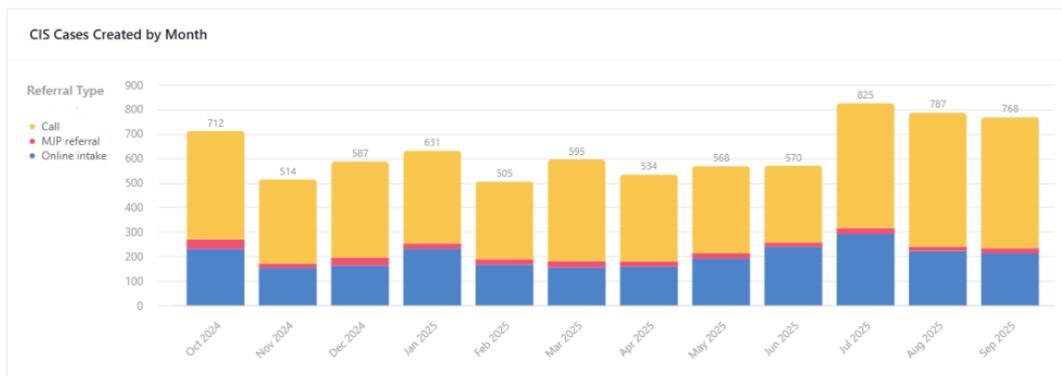
<sup>32</sup> A pre-existing and widely known community resource designed to connect people to services, information, and other resources.

reason, the referral is sent back to the coordinated intake platform where the tenant is then connected to the next eligible civil legal aid organization to repeat the process.

During their testimony before the Task Force, UWCM provided an update on the coordinated intake system since launching Statewide in October 2024. In May of 2025, they updated key reporting metrics, particularly surrounding why cases were rejected, to develop better practices and strategies to reduce rejections. In June of 2025, they expanded their intake hours to 9am-7pm and launched Spanish-language intake both online and via phone. These efforts to expand accessibility for Maryland’s ACE-eligible tenants are to be commended. As mentioned above, in July 2025, UWCM and Civil Justice, Inc. increased their training and assessment efforts for coordinated intake staff to ensure that they have the informational foundation needed to effectively and efficiently respond to client needs.

As depicted in the graphic below, from October 1, 2024 – September 30, 2025, there were 12,411 cases opened by the CIS, with 4,606 cases being eligible for legal services under the ACE Program and 1,210 being ineligible. During the CIS process, it was discovered that in 861 cases, individuals were seeking other help, such as rental assistance, and 3,774 cases received referrals to other social services resources outside of the ACE Program.

### Monthly Unique ACE-CIS Cases October 1, 2024 – September 30, 2025



Total Calls taken by ACE Intake Staff: **12,411**  
Total Intakes = **7,596**

ACE Eligible = **4,606 (60.64%)**  
ACE Ineligible = **1,210 (15.93%)**  
Seeking other help= **861 (11.34%)**  
Intakes that received referrals to other resources: **3,774 (49.68%)**

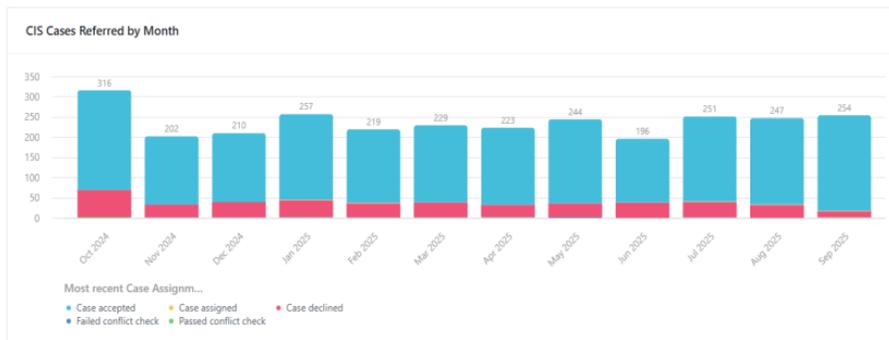
*Graphic courtesy of UWCM*

Despite the 4,606 cases that appear ACE-eligible, as shown in the graphic below, CIS only referred 2,848 cases to legal service organizations. This gap is due to situations in which ACE-eligible tenants call too late in the process (e.g. hours before their court date), meaning there is not enough time for review and referral to a legal service organization or they lose contact with a

caller, etc. ACE-eligible tenants in these scenarios are often able to seek same-day representation in courthouses. Of the 2, 848 referrals, 436 were rejected by a legal services provider, often due to a conflict of interest or lack of capacity. These rejections were often then referred to a secondary legal service organization.

Of note, as you can see in the graphic below, the number of rejections steadily decreased over time. This is due to UWCM and Civil Justice, Inc.’s work to increase training and assessment processes to better understand the metrics and data associated with rejections in order to ensure they were making the most effective referrals possible in each case.

**# Cases with Referrals to LSOs, grouped by status of most recent referral  
October 1, 2024 – September 30, 2025**



**# Referred = 2848**

**# Accepted- 2393  
% Accepted = 84%**

**# Rejected= 436  
% Rejected = 15.3%**

In terms of the types of cases being reviewed and referred to legal service organizations, UWCM and Civil Justice, Inc. noted that the overwhelming majority are failure to pay rent cases (approximately 2,175 cases), with a much smaller number being tenant holding over and breach of leases cases (123 and 122 respectively). Task Force members considered that this may be due to the lack of information about the ACE Law and Program on tenant holding over and breach of lease forms – further strengthening the need for the Judiciary to include this information on these forms in addition to the failure to pay rent forms.

Over the last year, UWCM was able to perform a follow-up survey with individuals who contacted the CIS for help. 164 individuals agreed to participate in the survey, with over 90% of respondents stating that they were very satisfied or satisfied with the CIS process. Over 70% of the respondents were represented by a legal service provider in court and the majority of respondents who received legal services were satisfied with the representation provided.

## **Program Implementation: Maryland Sheriffs' Association**

Sheriffs and constables across the state are crucial stakeholders and partners in the implementation of the ACE Law and Program. Not only do they help ensure that tenants receive critical information about the ACE Law and Program along with their eviction filing, they also collect and share important data with the Judiciary that helps stakeholders understand the broader landscape of eviction information in the state.

This year, instead of hearing from sheriffs across the State, Task Force Chair Reena Shah and staff members attended a meeting of the Maryland Sheriffs' Association to share key information about the ACE Law and Program as well as to build relationships to continue developing and sharing best practices with sheriffs across the State.

At the meeting, Shah provided an overview of the Task Force's work as well as the ACE Law and Program, placing particular emphasis on the OAG opinions outlining the requirements that sheriffs and constables deliver the MLSC pamphlet and eviction notices in-person and by mail and that eviction notices be placed on an individual tenant's door rather than in a common area or entry door to an apartment complex or multi-housing unit. Those opinions can be found in Addendums II and III of this report on pages 56-65 and 66-72 respectively.

After the meeting, Task Force members developed a survey that was shared with the Sheriffs Association to be completed by individual Sheriffs across Maryland's 24 jurisdictions to learn more about their practices and data collection activities related to evictions and the ACE Law/Program. The aim of this survey is to better understand each jurisdiction's approach to this work and to begin identifying best practices to be shared with the Maryland Sheriffs' Association as well as methods of better standardizing and utilizing the data collected in each jurisdiction.

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.
- All Sheriffs and Constables should post eviction notices on individual tenant doors, with access being granted by landlords, to be in compliance with the law.
- The Task Force should ensure completion of the survey and share the results when available.
- The Task Force should work with the Maryland Sheriffs' Association to ensure uniformity across all jurisdictions in Maryland regarding the data collected by Sheriff and Constable Offices and shared with the Judiciary based on the findings in the survey.
- The Task Force should continue follow-up with the Maryland Sheriffs' Association to develop best practices surrounding the ACE Program.

## **Program Implementation: Communications, Outreach, and Education**

During FY2025, MLSC contracted with eight community groups to perform tenant outreach and education across the State. 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. 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 contractor Montgomery County Renters Alliance, who reinforced MLSC’s 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 and on the Task Force itself.

Currently, many legal service providers operate their own communications strategies, ranging from courthouse signage all the way up to coordinated, strategic advertising campaigns across jurisdictions in the case of Maryland Legal Aid. While these efforts seek to ensure Marylanders know legal help is available when facing eviction, they don’t all share the same message under the banner of the ACE Program. The Task Force was pleased to learn from MLSC’s 2025 JCR Report (see Addendum IV on pages 73-83) that, “now that implementation has been completed, and pending continued funding, MLSC and partners plan to focus on increasing visibility of the Program – particularly the ability to reach an attorney by calling 211 – through advertising campaigns and targeted communications efforts.” This targeted, centrally coordinated, and unified communications campaign has long been a recommendation of the Task Force. The Task Force commends MLSC for this effort and looks forward to learning more.

The subject of advertising the ACE Program under a unified banner prompted discussion among civil legal aid providers, MLSC, and Task Force members about how increased awareness may lead to an influx of ACE-eligible tenants seeking representation and a question about whether or not legal service providers have the capacity to meet increased demand.

This led many Task Force members to wonder whether the best approach would be to first understand the unmet need, then gradually scale a communications plan that grows with provider capacity. However, other Task Force members, including legal services providers who would be forced to meet an increased demand, suggested that it was better to increase awareness to learn more about the unmet need in the State and work to scale capacity as needed.

It was clear that more discussion was needed on the best approach, but at this stage, the Task Force recommends that MLSC continue its efforts to develop a coordinated communications plan about the ACE Program, and the rights tenants have under the ACE Law. It re-affirms its earlier recommendation that legal service providers utilize coordinated and unified branding at courthouses across the State.

Task Force recommendations based on these findings include:

- MLSC should continue their efforts to create a coordinated communications campaign.
- The Task Force should work to fill its open tenant representative seats in 2026 to help ensure that tenant voices are represented throughout the ACE Program and evaluation process.
- MLSC should fund the creation of coordinated and unified ACE signage that should be used by ACE providers across the state. The branding should lead with the ACE Program as a core message or umbrella “organization,” with logos of the provider organizations included below in smaller font.

### **Program Review: Data Collection**

Now that the ACE Law and Program’s implementation is well underway throughout the state, robust eviction data sets are being developed and maintained by a number of organizations across the state, including the Judiciary, DHCD, UWCM, MLSC, 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 2024 Renters Rights and Stabilization Act,<sup>33</sup> which includes collection of the following data 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

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<sup>33</sup> More information can be found here:

<https://mgaleg.maryland.gov/mgawebsite/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,<sup>34</sup> DHCD noted that they are currently required to produce an eviction data report for the Maryland General Assembly by 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: Identifying and Addressing the Unmet Need in Maryland**

Despite the robust information coming in about evictions and the ACE Program from multiple organizations, there is still a gap in our understanding of the ACE Program’s unmet need in Maryland, i.e. 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. Data from MLSC and Stout show that 12,778 cases were closed by ACE attorneys in FY2025. However, data from the Judiciary shows that over 360,000 eviction notices were filed this year. Data from MLSC and Stout show that 12,778 cases were closed by ACE attorneys in FY2025. However, data from the Judiciary shows that over 360,000 eviction notices were filed this year, resulting in 139,306 warrants of restitution issued and 17,805 completed evictions according to DHCD.

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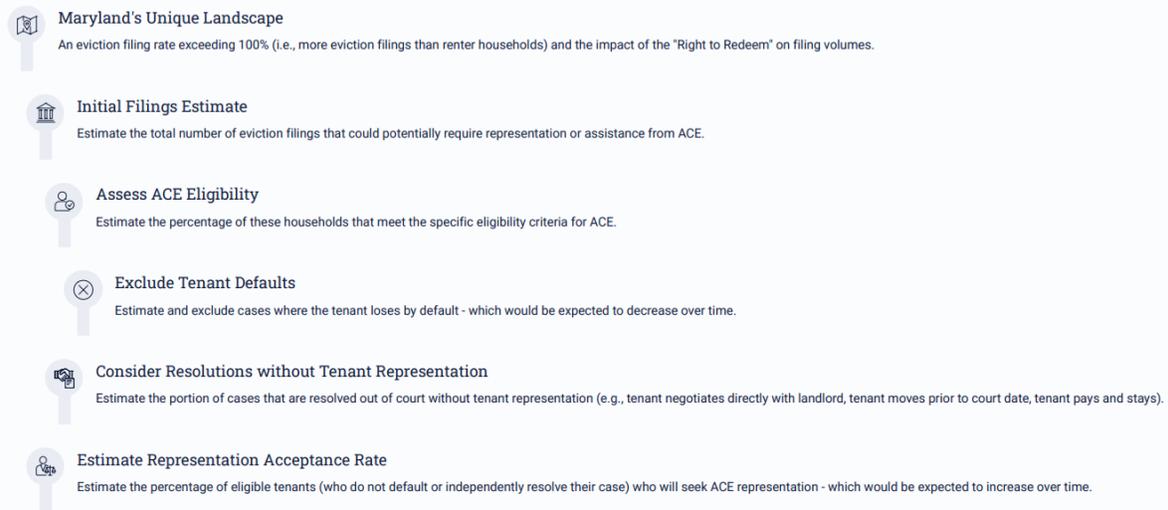
<sup>34</sup> More information can be found here: <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0693?ys=2024RS&search=True>

At this stage it is unclear how many of the filings or cases outside of the 12,778 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 or something else?

To address this persistent gap in our understanding of the ACE Program, Task Force members have previously 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.

This year, Stout provided an overview of how the unmet need could be ascertained based on existing and available data, with the process being outlined in the graphic below. However, Stout noted that this analysis is currently outside of the scope of their contract.

## Considerations for Estimating the Number of Eviction Filings that Could Require ACE Representation or Assistance



*Graphic courtesy of Stout*

The Task Force's first roadmap report<sup>35</sup> highlighted the need to iterate and continually assess the need for services among ACE-eligible tenants in Maryland. Now that the ACE Program has reached full implementation, it is important to reassess the important question of need. Understanding the unmet need in Maryland will be crucial to inform Program and policy recommendations, particularly around funding, to ensure the ACE Program reaches the aims of the ACE Law.

<sup>35</sup> See: [https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//ATC\\_Task\\_Force\\_Report.pdf](https://oag.maryland.gov/our-office/Documents/Access%20To%20Counsel//ATC_Task_Force_Report.pdf)

Task Force recommendations based on these findings include:

- The Task Force should work with MLSC to procure a data analysis organization to perform an unmet needs analysis 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.

## **Task Force Future Directions**

### ***Future of the Task Force***

As explained in the beginning of this report, as of June 1, 2025, the Task Force transitioned to DHCD without the annual reporting requirement to the Governor and General Assembly, meaning this report will be the fifth and final official report of the Task Force.

Without the reporting requirement, the Task Force is now free to develop a meeting cadence and process that meets the needs of the ACE Program's oversight during this next phase of implementation, i.e. one of sustained delivery and Program refinement.

DHCD should meet with Task Force members and key ACE stakeholders to identify the process that maximizes this body's efficacy and impact.

Additionally, while there is no longer a formal reporting requirement, DHCD and the Task Force should consider working towards some sort of year-end product that memorializes the work of the Task Force, its findings, and any policy or Program recommendations it makes.

### ***NOI Repository versus Analyzing Existing Data on Actual Eviction Filings***

Historically, the Task Force has recommended exploring the creation of a Notice of Intent ("NOI") Repository in Maryland that would track the filing of NOIs across the State. Task Force members have argued that such a repository could help ACE stakeholders understand the relative number of and NOIs that result in an actual eviction filing; identify eviction hotspots/high-filing landlords for targeted outreach and intervention; create a mechanism for follow-up and connection to 211 for NOI recipients; and address tenant reports of not receiving an NOI. However, some Task Force members worried about privacy issues related to such a repository and questioned its utility given how few NOIs actually result in an eviction filing.

To explore the idea of a Repository in Maryland, the Task Force chair and staff met with the Judiciary and DHCD over the summer to discuss its feasibility. Ultimately, despite the fact the Judiciary creates and manages the NOI form, they felt strongly that they were not the best entity to house and manage a repository because the NOI does not represent an actual court case or eviction filing and, as such, falls outside of the purview of the Judiciary's oversight. Additionally, they felt that DHCD's existing data collection and analysis efforts and expertise made them a better fit to manage such a repository.

As such, DHCD undertook extensive review and research to ascertain what it would take to develop, house, and manage an NOI Repository on behalf of the State. They first looked for existing models within the Department and identified their Right of First Refusal Portal which would share similar features to an NOI Repository. However, DHCD immediately identified issues with the management and rollout of this Portal and stated that an NOI Repository would be even more complex and costly to manage.

In regard to cost, DHCD explained it was difficult to identify the total cost of building and managing a Repository due to limitations in Maryland's procurement laws but noted that they would be considerable.

Furthermore, DHCD pointed to the sheer volume of NOIs they would have to manage, which could number in the millions given the astronomical number of eviction filings in Maryland and the knowledge that these represent only a small subset of total NOIs.

Additionally, to address the very real privacy concerns and State law requirements, DHCD would have to strip all the data of personally identifiable information – a massive and costly undertaking at scale.

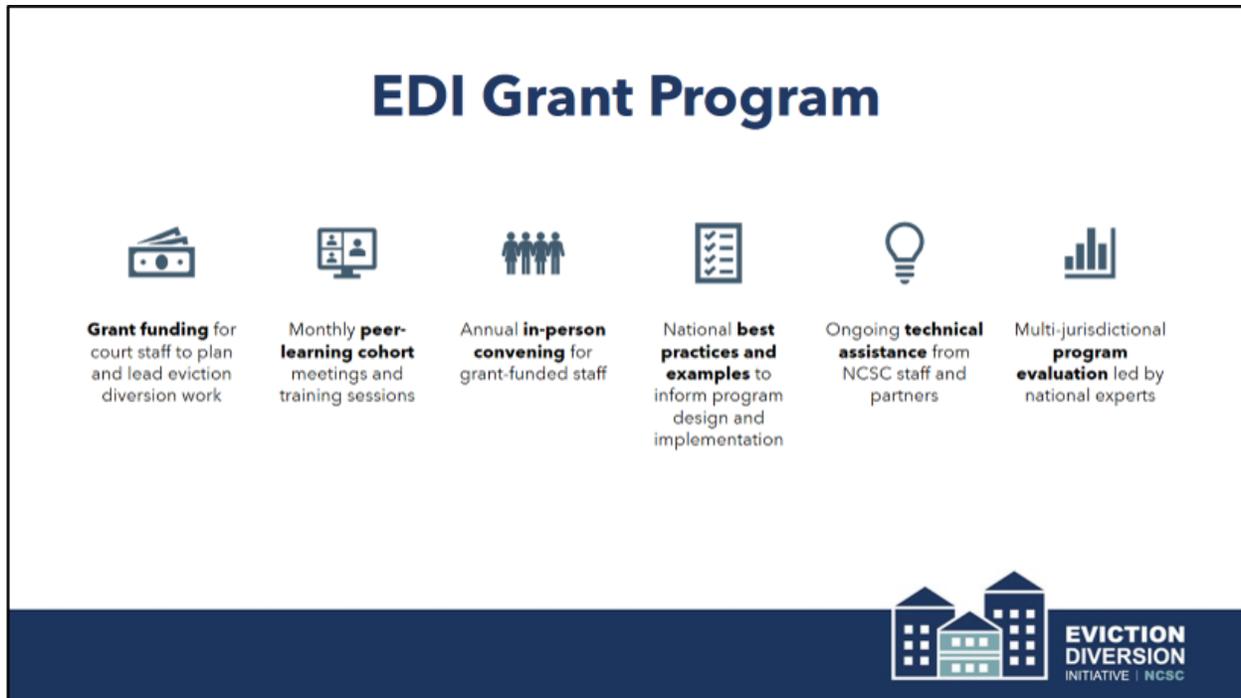
Finally, DHCD agreed with Task Force member concerns about the utility of the data collected given how few NOIs result in eviction filings. The likelihood that it could be used to identify hot spots or zip codes for targeted outreach is low.

Ultimately, DHCD suggested that the Task Force instead focus future exploration on actual eviction filings. This information will be more actionable and already exists within MDEC, which is operated by the Judiciary. The Judiciary currently makes much of its data available on a month-to-month basis, however, DHCD noted that having this data in real time would be essential to achieving many of the stated goals. This would require Judicial support and buy-in and likely statutory authority for the Judiciary to share information directly with DHCD.

The Task Force should continue to explore this option in the future with both DHCD and the Judiciary to learn what is feasible and what would provide the most impact in terms of meeting the originally stated goals prompting the exploration of an NOI repository.

### ***Eviction Diversion Programs***

During its fall hearings, the Task Force heard from Samira Nazem of the National Center for State Courts, who discussed NCSC's approach to eviction diversion programs. She explained that NCSC launched its Eviction Diversion Initiative (EDI) in 2021, and is currently working with 24 courts across 17 states and D.C. Their approach emphasizes creating multiple entry points for diversion and resolution throughout the eviction process with the aim of preventing evictions.



*Graphic courtesy of NCSC*

According to Nazem, successful eviction diversion programs require three essential elements:

**Time:** courts must adjust scheduling to allow landlords and tenants adequate time for coordination and resolution, rather than the notoriously quick pace of traditional eviction proceedings. Key approaches include:

- Establishing initial hearing dates where parties meet with diversion facilitators rather than immediately appearing before a judge.
- Creating continuances that allow time for coordination between parties and service providers.
- Adjusting docket management to accommodate the slower pace required for meaningful intervention.
- Allowing adequate time for rental assistance applications to be processed and approved.

**Information:** clear communication about how and why to participate in diversion, including improved outreach strategies to increase tenant appearance rates. Key approaches include:

- Including information about diversion programs with the initial Summons & Complaint.
- Sending text message reminders and encouragement to tenants.
- Creating plain-language materials that are easy to understand.
- Conducting community outreach campaigns through social media, public transportation ads, and community organizations.

- Mandatory informational flyers (as in Milwaukee, where all eviction complaints must be served with information on accessing resources).
- In-court visual guides and signage to help navigate the process.

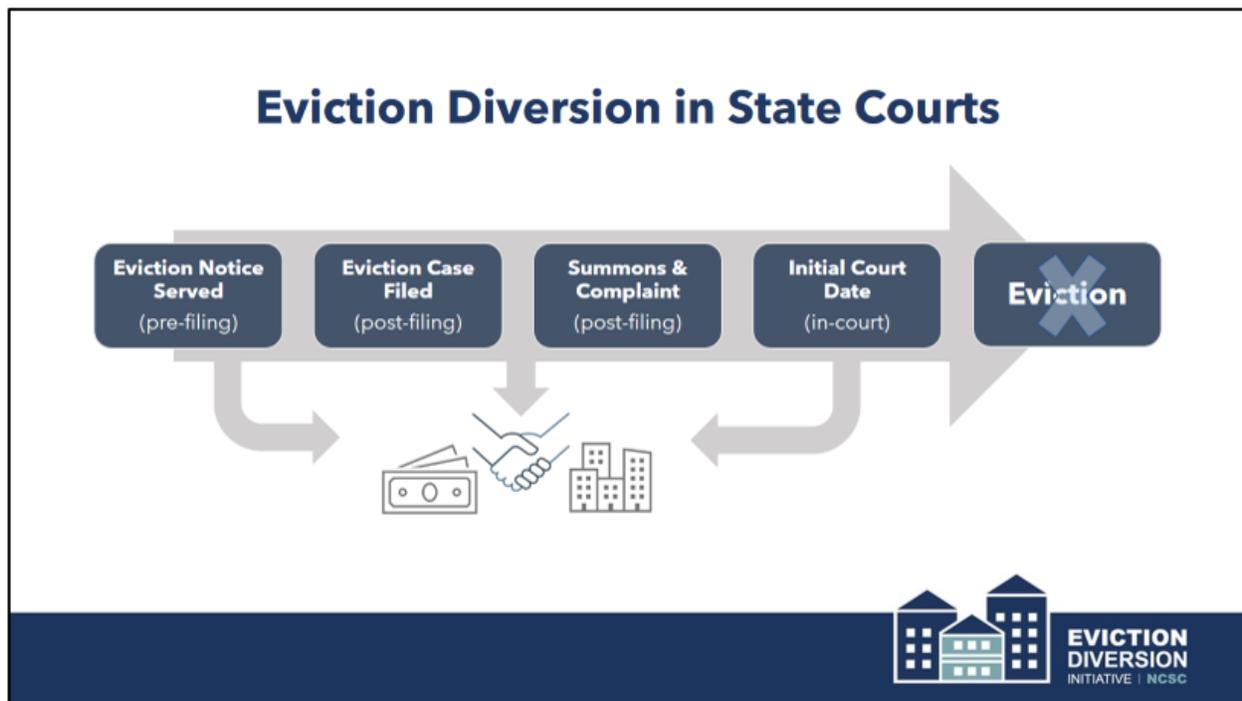
**Resources:** strong partnerships with legal aid, mediation services, rental assistance programs, social services, financial counseling, and housing navigators to address both immediate legal needs and underlying causes.

Nazem also explained that there are multiple entry points for eviction diversion programs, including:

**Pre-filing diversion** - Early intervention that helps landlords and tenants resolve disputes before court involvement, avoiding court fees for landlords and eviction records for tenants.

**Post-filing/in-court diversion** - Uses the court process to directly connect parties with available resources including legal aid, mediation, social services, and rental assistance.

**Post-judgment support** - Helps tenants plan moves that minimize disruption and reduce the risk of future evictions.

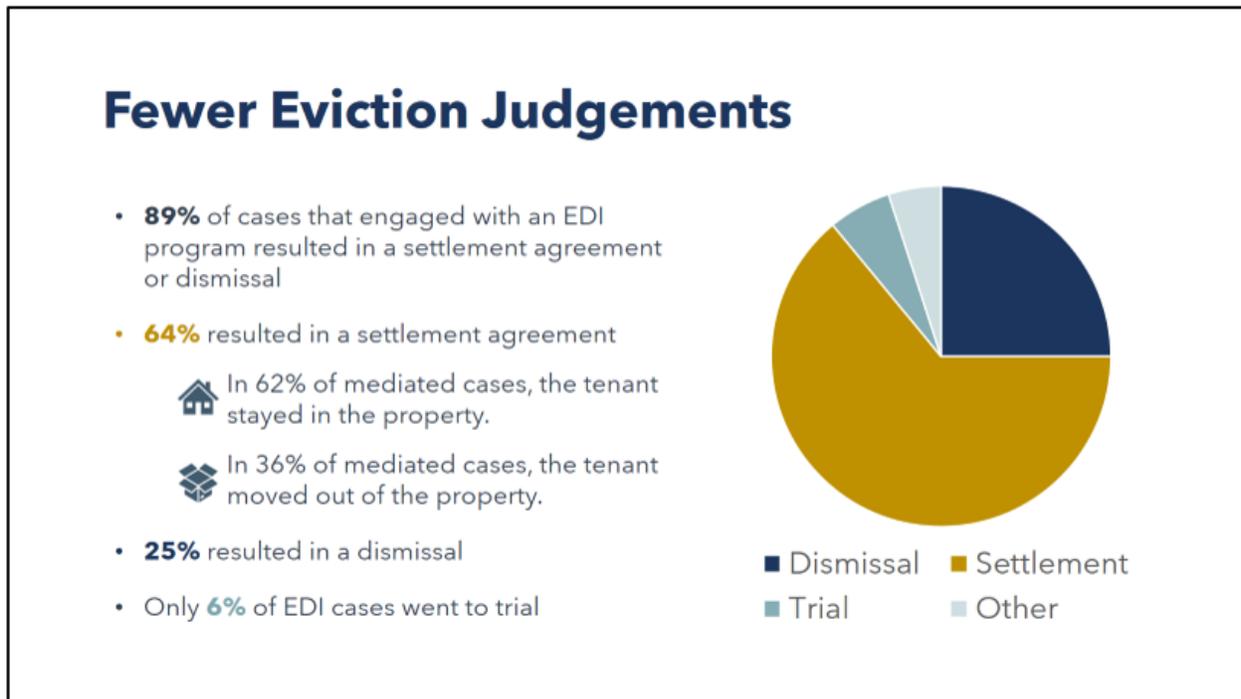


*Graphic courtesy of NCSC*

Of particular interest to the landlord representatives on the Task Force were the built-in incentives that the EDI Grant Program utilizes to encourage landlord participation, including waived or reduced filing fees for landlords who use a diversion program to resolve disputes; access to dedicated rental assistance and landlord mitigation funds, which, given that nearly 90% of the cases closed by ACE attorneys were for failure to pay rent, can help address the primary

driver for eviction filings by landlords; and the incentive of a streamlined process that avoids the costs and time associated with pursuing a court case. These incentives mean that eviction diversion programs are not only an attractive option for tenants, but for landlords and housing providers, too.

NCSC's outcomes are outlined in the graphic below:



*Graphic courtesy of NCSC*

Additional outcomes include higher appearance rates, resulting in a lower number of default judgments, stronger connections to community resources, more sealed eviction records, reduced court backlogs, and increased public trust in the justice system.

Notably, the EDI program particularly serves communities disproportionately affected by eviction - about 80% of participants identify as non-white, with significant representation of women, children, and individuals with disabilities.

Nazem stated that the success of EDI programs rely on built in incentives for landlords, and buy-in from key stakeholders, especially the Judiciary. She also noted that these programs can pair well with access to counsel programs, especially since there are so many overlapping features.

Task Force members all agreed that further exploration of potential eviction diversion programs as a complement to the ACE Program in Maryland was warranted.

## *Exploring Legal Tech*

Task Force Chair Reena Shah heads the Access to Justice Commission, which has a Data & Legal Technology Committee, and co-chairs the Innovations in Tiered Legal Services Task Force, which has a Legal Technology Committee. Through these roles, she has learned of many cutting-edge uses of AI and technology in the housing and eviction sectors and felt that these could be explored by the Task Force for future applications to bring innovative support to ACE-eligible tenants in Maryland. During one of the Task Force's meetings, she highlighted three such tools: (1) Rentervention, a tool in use in Chicago; (2) Roxanne, which is in use in New York; and (3) Depositron; which is also in use in New York State.

Rentervention is a free resource for Chicago renters dealing with rental problems and is available by text and online. The resource provides information about tenant rights, legal forms, letter-writing assistance, and pre-legal assistance from lawyers. Rentervention was created by nonprofit agencies in partnership with Cook County Circuit Court and is dedicated to protecting renters' rights. It uses a "closed system" approach, i.e. it includes only applicable statutes, pleadings, and forms vetted by experts, rather than open-ended AI responses.

Roxanne is an AI chatbot that can be used for housing repairs issues that uses a closed system containing only applicable New York laws. It guides tenants through options for recourse based on their specific circumstances and is more controlled than open-source tools like ChatGPT

Depositron is an AI-automated legal assistance tool for security deposit recovery. It provides legal information (but not legal advice) and walks users through how to get their security deposit back. It utilizes decision-trees and offers users options to ask questions or draft letters.

Shah highlighted that the benefits of tools like these are that they can consolidate scattered resources into one guided experience, while creating a close system of vetted legal resources. They can also reach people who are already searching online, many of whom are going to ChatGPT for legal answers. These tools are available 24/7, any time a client needs them. And they can also be designed to funnel people toward 211 and legal service providers while also serving tenants who know about ACE but prefer self-help resources.

Some Task Force members were cautious about promoting AI tools, but others noted that people are already using open-source AI tools like ChatGPT; thus, creating a closed source tool that only features Maryland laws and is vetted by experts is a better option than nothing. In general, however, Task Force members were open to continuing to explore these resources but wanted more information about the populations utilizing these tools and their efficacy. While others mentioned wanting to focus more exploration on who these tools would or should be designed for in the Maryland context.

## **Wrap-up**

With this fifth and final report, the Task Force has moved from early, nascent ideas of what the ACE Program should look like, to tracking its early implementation and explosive growth across the state, to overseeing its full implementation with well over 25,000 Marylanders served.

While the Task Force will no longer be producing an annual report to be submitted to the General Assembly and the Governor on an annual basis, it will continue its important oversight function and collaborative work amongst ACE Program stakeholders to ensure that it meets the call of the groundbreaking ACE Law.

The Task Force remains committed to reviewing, refining, and advocating for the revision of the ACE Program as necessary in the years to come so that every ACE-eligible tenant who wants access to legal counsel has it and so that every ACE-eligible tenant has the same level of access across the state, regardless of where they call home.

## **RECOMMENDATIONS BY GROUP**

### **The Maryland General Assembly**

- During the 2027 legislative session, 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 ahead of the FY2028 expiry.
- The General Assembly should concurrently 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.
- 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.

### **DHCD**

- DHCD should work with the Task Force members to identify an annual product that memorializes the work-product of the Task Force.
- DHCD should work with the Task Force to identify the meeting structure and pacing that makes the most sense for their strategic aims.

### **The Judiciary**

- The Judiciary should make remote hearings more accessible for eviction hearings across the State.

- The Judiciary should expedite the rollout of the video recording explaining the ACE Law and Program to be played at the beginning of rent court dockets in courthouses across the State.
- The Judicial College should work with MLSC and the Task Force to create a bench card describing the ACE Law and Program to be made widely available in every courtroom in every jurisdiction.
- The Judiciary should promote awareness of the ACE Program among new District Court judges and District Court administrative judges. The Task Force should communicate regularly with District Court leadership to explore ways to promote awareness of the Program and to help standardize the implementation of the ACE Law and Program across the State.
- District Court administrative judges should meet regularly with ACE providers in their jurisdiction to address issues associated with the ACE Program’s implementation, such as docket sizes, language accessibility, and to develop and share best practices as needed.
- 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 existing language about the ACE Law and Program (see the Task Force’s 2025 Report or form DC-CV-115) with design elements such as color blocking, text boxes, or icons that draw attention to this information.

- The Judiciary should make relevant information about the ACE Law and Program and connecting with 211 more prominent and available in all relevant places on their website – such as on pages sharing resources for the public or where to access help or information regarding their civil legal matter.<sup>36</sup>

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<sup>36</sup> For example, while a reference to the ACE Program can be found here: <https://www.courts.state.md.us/legalhelp/housing>, it is difficult to find. Making it more prominent can help ensure eligible tenants have the information they need.

## **Sheriffs and Constables**

- All Sheriffs and Constables should share the MLSC pamphlet both by mail and in person to be in compliance with the ACE Law.
- All Sheriffs and Constables should post eviction notices on individual tenant doors, with access being granted by landlords, to be in compliance with the law.

## **MLSC**

- MLSC should continue to budget for and provide equitable salary increases to ACE attorneys and other professional ACE staff so that their pay remains competitive with salaries in similar public service law fields.
- MLSC should reach out to the Judiciary's office of Government Relations and Public Affairs to request remote access to MDEC for ACE attorneys.
- MLSC should fund the creation of coordinated and unified ACE signage that should be used by ACE providers across the state. The branding should lead with the ACE Program as a core message or umbrella "organization," with logos of the provider organizations included below in smaller font.
- MLSC should continue to build relationships with PHAs to encourage further integration of the ACE Law and Program.
- The Task Force should work with MLSC to procure a data analysis organization to perform an unmet needs analysis 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.

## **PHAs**

- 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 existing language about the ACE Law and Program (see the Task Force's 2025 Report or form DC-CV-115) with design elements such as color blocking, text boxes, or icons that draw attention to this information.

- 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 housing providers and landlords, whether large or small, should include information about the ACE Law and Program in their leases with design elements such as color blocking, text boxes, or icons that draw attention to this information.

## **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 existing language about the ACE Law and Program (see the Task Force’s 2025 Report or form DC-CV-115) with design elements such as color blocking, text boxes, or icons that draw attention to this information.

- 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 housing providers and landlords, whether large or small, should include information about the ACE Law and Program in their leases with design elements such as color blocking, text boxes, or icons that draw attention to this information.
- For larger landlords, associations like MMHA and AOBA should help facilitate the inclusion of information about the ACE Law and Program in all leases.

## **Data Collecting Organizations**

- 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.

## The Task Force

- The Task Force should continue to monitor the impacts of federal actions on housing and evictions in Maryland, both in terms of social safety net cuts and threats to public service loan forgiveness.
- The Task Force should consider developing advocacy around increased upstream prevention programming and funding mechanisms that can help prevent evictions
- The Task Force should consider advocacy around State-level student loan forgiveness efforts for public service loans to strengthen the pipeline of future ACE attorneys as well as the retention of current ACE attorneys.
- The Task Force should work with the Judiciary to explore potential alternate structures for the eviction trial process (including eviction diversion programs as outlined in the “Task Force Future Directions” section at the end of this report) to address timeline, remote hearing, and postponement issues Existing examples and models can be found within the National Center for State Courts.
- If administrative changes recommended to the Judiciary above are not sufficient to ensure access to counsel, the Task Force should consider recommending that the Maryland Rules Committee or Maryland General Assembly change the rules or statutes governing eviction actions to ensure that ACE eligible tenants have access to counsel if desired.
- The Task Force should undertake research into best practices surrounding access to counsel language and information in eviction forms and notices, including following up with NCSC and reaching out to other organizations with expertise in this area, before making recommendations regarding future language changes to Judiciary forms.
- The Task Force should conduct research, including working with NCSC and other leading organizations, to develop the most effective language and presentation of ACE information for all leases, forms, notices, and official communications related to evictions. This may include developing a collaborative workgroup of Task Force members, advocates, and representatives from the Judiciary, Public Housing Authorities, and organizations representing landlords (such as MMHA and AOBA).
- The Task Force should continue to build relationships with PHAs to encourage further integration of the ACE Law and Program.
- The Task Force should ensure completion of the survey and share the results when available.
- The Task Force should work with the Maryland Sheriffs’ Association to ensure uniformity across all jurisdictions in Maryland regarding the data collected by Sheriff and Constable Offices and shared with the Judiciary based on the findings in the survey.
- The Task Force should continue follow-up with the Maryland Sheriffs’ Association to develop best practices surrounding the ACE Program.

- The Task Force should work to fill its open tenant representative seats in 2026 to help ensure that tenant voices are represented throughout the ACE Program and evaluation process.
- The Task Force should work with MLSC to procure a data analysis organization to perform an unmet needs analysis 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.

## 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](http://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](http://www.legalhelpmd.org)** today!

TO READ THIS BROCHURE IN:

Español  
[www.legalhelpmd.org/Spanish](http://www.legalhelpmd.org/Spanish)



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中文  
[www.legalhelpmd.org/Chinese](http://www.legalhelpmd.org/Chinese)



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Français  
[www.legalhelpmd.org/French](http://www.legalhelpmd.org/French)



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русский  
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### FREE LAWYERS FOR TENANTS IN MARYLAND

ACCESS TO COUNSEL IN EVICTIONS PROGRAM





[www.legalhelpmd.org](http://www.legalhelpmd.org)

Updated 3-23





### 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](http://www.legalhelpmd.org)**



### OTHER RESOURCES

**Rental Assistance**  
For more information and to apply for rental assistance, go to: [dhcd.maryland.gov/pages/evictionprevention](http://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](http://dhs.maryland.gov/office-of-home-energy-programs)

For more information on the court process, visit: [mdcourts.gov/legalhelp/housing](http://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](http://www.legalhelpmd.org)** for more information.

[www.legalhelpmd.org](http://www.legalhelpmd.org)

## ADDENDUM II: OAG Opinion on ACE Requirements & MLSC Pamphlet Provision

BRIAN E. FROSH  
*Attorney General*



ELIZABETH F. HARRIS  
*Chief Deputy Attorney General*

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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. Semsker*, 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.<sup>1</sup> 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

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<sup>1</sup> 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.

Deb Seltzer  
August 27, 2021  
Page 6

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](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.<sup>2</sup>) 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

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<sup>2</sup> 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  
Page 10

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: 2001 OAG Opinion on Affixing Notices to Individual Tenant Doors

### [2001 Md. AG LEXIS 28;](#)

Office of the Attorney General of the State of Maryland

86 Op. Atty Gen. Md. 42

#### **Reporter**

2001 Md. AG LEXIS 28; \*, 86 Op. Atty Gen. Md. 42;

### **Opinion No. 01-007**

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February 15, 2001

### **Core Terms**

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summon, ejectment, mail, repossess, tenant, process server, affix, landlord, rend, personal service, conspicuously, service of process, multi-unit, tenant-defendant, notice, real property, common area, assembly, eviction, door, ejectment proceeding, copy of the summons, ejectment action, attested copy, default

### **Syllabus**

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[\*1]

LANDLORD AND TENANT ) DISTRICT COURT ) JURISDICTION AND PROCEDURE )  
SHERIFFS ) IN SUMMARY EJECTMENT ACTION INVOLVING APARTMENT IN MULTI-UNIT  
BUILDING SHERIFF MUST POST SUMMONS ON APARTMENT RATHER THAN IN COMMON  
AREA

**Request By:** John W. Anderson, Sheriff

Baltimore City Sheriff's Office

**Opinion By:** J. Joseph Curran, Jr., Attorney General; Judith A. Arnold, Assistant Attorney General;  
Robert N. McDonald, Chief Counsel, Opinions & Advice

## Opinion

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You have asked for our opinion concerning the service of a summary ejectment summons by means of first class mail and posting of the property -- commonly referred to as "mailing and nailing" -- when the rental property to be repossessed is an apartment in a multi-unit building. More particularly, you ask whether the deputy sheriff serving the summons must post the summons on the individual apartment to be repossessed.

In our opinion, the statutes governing service of process in summary ejectment actions require that the process server affix an attested copy of the summons conspicuously upon the property to be repossessed -- that is, the individual apartment. As with other forms of process, this requirement may be modified in extraordinary circumstances. For example, if the [\*2] tenant-defendant makes it impossible for the deputy to access the apartment "without force or personal risk," the summons may be posted conspicuously in a common area near to the apartment. In other instances in which reasonable, good faith efforts to post the apartment fail, the court may order an alternative means of service.

### I

#### Summary Ejectment Proceedings

Summary ejectment is a legal remedy that enables a landlord to regain prompt possession of rented property from a tenant who fails to pay the agreed-upon rent. The Court of Appeals has labeled summary ejectment proceedings as "possessory in rem or quasi in rem actions that provide a means by which a landlord might rapidly and inexpensively obtain repossession of his premises ...." [Greenbelt Consumer Services, Inc. v. Acme Markets, Inc.](#), 272 Md. 222, 229, 322 A.2d 521 (1974). Exclusive jurisdiction over the action is placed in the District Court, regardless of the amount involved, because of the availability and relative informality of procedures in that court. [Id. at 229.](#)

Summary ejectment proceedings have long been part of the [\*3] law of Maryland. In 1888, the General Assembly enacted legislation authorizing such actions within Baltimore City. Chapter 487, Laws of Maryland 1888, now codified as §§ 9-2 and 9-3, Code of Public Local Laws of Baltimore City (1979 ed. & 1997 supp.) ("PLL"). The action was later adopted on a statewide basis and is now codified at Annotated Code of Maryland, Real Property Article ("RP"), § 8-401. Chapter 529, Laws of Maryland 1937. <sup>1</sup> See [Greenbelt Consumer Services](#), 272 Md. at 230.

To initiate a summary ejectment action, a landlord must file a written complaint, under oath or affirmation, that describes the property sought to be repossessed, names each tenant of that property,

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<sup>1</sup> Although the 1937 statute excluded Allegany County, a later revision covered the entire State. Chapter 622, Laws of Maryland 1965.

A similar statewide action was also apparently recognized as part of the law Maryland inherited from England. In [Campbell v. Shipley](#), 41 Md. 81 (1874), the Court of Appeals characterized the ejectment action established in Chapter 346, Laws of Maryland 1872, later codified as Annotated Code of Maryland (1957), Article 75, § 27, as a substantial reenactment of the Statute of 4 George II, ch. 28. See also Sachs, 4 *Poe's Pleading & Practice* (6th ed. 1975) § 482. This earlier version of the ejectment action was included in the 1974 Real Property Article as § 8-402(c), with a revisor's note that it should be amended to apply only to ground rents, a suggestion adopted in 1981. See Chapter 12, Laws of Maryland 1974, Revisor's Note No. 14 at p. 356; Chapter 111, Laws of Maryland 1981.

states the amount of unpaid rent and late fees, and requests repossession of the premises.<sup>2</sup> See RP § 8-401(b)(2); PLL § 9.3. A hearing on the matter of repossession is scheduled just five days after the landlord's complaint is filed.<sup>3</sup> RP § 8-401(b)(3), (c); PLL § 9.3. This provides very little time, of course, for the service of process.

## II

### Service of Process [\*5] in Summary Ejectment Proceedings

The principal purpose of initial process in any legal proceeding is to give the court personal jurisdiction over the defendant and to afford the defendant an opportunity to be heard with respect to the claim. See *Mooring v. Kaufman*, 297 Md. 342, 351, 466 A.2d 872 (1983); 82 *Opinions of the Attorney General* [Opinion No. 97-019 (August 21, 1997)], slip opinion at p. 2. The constitutional minimum for process in any proceeding is "notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections." *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950). "The means employed must be such as one desirous of actually informing the absentee might reasonably adopt to accomplish it." *Id.* at 315. The constitutional standard does not depend on whether the type of proceeding is labeled an *in rem* as opposed to an *in personam* action, although the nature of the action is a factor that may be considered in assessing [\*6] the constitutional adequacy of service. *Greene v. Lindsey*, 456 U.S. 444, 450-51 (1982); see also *Mullane*, *supra*, 339 U.S. at 312-13; *Miserandino v. Resort Properties, Inc.*, 345 Md. 43, 54, 691 A.2d 208 (1997).

#### A. Statutory Provisions Governing Service of Process

When a landlord chooses to forego seeking a money judgment for past due rent, and seeks only to extinguish the tenant's right to remain on the premises in a summary ejectment proceeding, the statutes do not require personal service. Rather, as part of a substitute for personal service, both of the statutes that govern summary ejectment proceedings in Baltimore City provide for the posting of the summons on the rental property to be repossessed.

#### 1. Real Property Article

A constable or sheriff serving process in a summary ejectment proceeding must:

- 1) "notify the tenant, assignee, or subtenant by first-class mail" ; *and*
- 2) where the landlord has not requested personal service, "affix an attested copy of the summons conspicuously upon the property."

RP § 8-401(b)(3) [\*7] , (4)(i). The statute further specifies: "The affixing of the summons upon the property after due notification to the tenant, assignee, or subtenant by first-class mail shall conclusively be presumed to be a sufficient service ... to support the entry of a default judgment for possession of the

<sup>2</sup> The complaint can also seek a judgment for the amount of rent due, costs, and late fees. However, the court may not award a money judgment if service of process is accomplished only by first class mail and posting of the premises. RP § 8-401(b)(4)(ii).

<sup>3</sup> Until the statewide statute was amended in 1974, the trial was to be held on the *second* day after the filing of the complaint in jurisdictions other than Baltimore City. See Chapter 656, Laws of Maryland 1974.

premises, together with court costs, in favor of the landlord ...." RP § 8-401(b)(4)(ii). However, such "mailing and nailing" service is not deemed sufficient to support the entry of a default judgment for rent due. *Id.*<sup>4</sup>

## 2. Public Local Laws

The General Assembly has also provided direction on service of process in summary ejectment proceedings in the statute specific to Baltimore City:

[the] Constable shall forthwith proceed to serve said summons ... upon said tenant ... or upon his ... known or authorized agent, or said Constable shall affix an attested copy of said summons conspicuously upon said premises, and such affixing of said summons shall ... be deemed ... a sufficient service.

PLL § 9.3. To meet constitutional standards of due process, the posting required by PLL § 9.3 must also be accompanied by a mailing of the summons to the tenant. See *Greene v. Lindsey*, 456 U.S. 444, 455 (1982) (Kentucky statute governing eviction proceedings constitutionally deficient in permitting service by posting alone; mailing of service in addition to posting "would surely go a long way toward" meeting requirements of due process). Thus, although worded slightly differently, PLL § 9.3 contains essentially the same requirements as RP § 8-401.

### ***B. Current Practice in Posting Apartments in Multi-Unit Buildings*** [\*9]

In the letter requesting this opinion, you pointed out that it has been the practice of the Sheriff's Office in Baltimore City to post summary ejectment summonses in the common entrances to multi-unit buildings or in building lobbies or mail rooms. You state that this practice has been adopted because it is more efficient than posting individual apartments, because there is concern for the safety of Sheriff's Office personnel in some buildings, and because access to the doors of individual apartments is sometimes impossible.

On the other hand, we understand that the sheriffs in the vast majority of Maryland jurisdictions routinely serve summary ejectment summonses by posting them on individual apartment doors. In addition, the most common obstacle to posting individual apartments, a locked outer door, is generally subject to the control of the plaintiff in a summary ejectment proceeding -- the landlord. In a number of jurisdictions, the sheriff has obtained the cooperation of landlords to eliminate that obstacle.

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<sup>4</sup>For many years, the statewide summary ejectment statute made no distinction between the service required to obtain repossession of the premises and that required to obtain a money judgment for past due rent. For either form of relief, the process server was to serve the summons on the tenant or the tenant's agent personally, or if the tenant or his agent could not be found, to affix an attested copy of the summons conspicuously "upon said premises." *E.g.*, Annotated Code of Maryland (1935), Article 53, § 24C, as amended by Chapter 529, Laws of Maryland 1937. In 1971, the statute was significantly amended to require the process server to notify the tenant by first-class mail before affixing a copy of the summons "upon the premises." Chapter 745, Laws of Maryland 1971.

In 1976, a number of District Court judges apparently expressed doubt about whether the post-1971 "mailing and nailing" form of service would constitutionally support the entry of a default money judgment for past due rent. In an opinion issued in response to an inquiry from the Chief Judge of the District Court, Attorney General Burch concluded that the statute was constitutional, but construed it to require an initial attempt at personal service on the tenant-defendant. 61 *Opinions of the Attorney General* 528 (1976). Thereafter, the General Assembly amended the statute to require personal service to support a default judgment for rent due and unpaid, but retained the "mailing and nailing" form of service and specified that this lesser form of service would conclusively be presumed sufficient to support a default judgment for possession. Chapter 450, Laws of Maryland 1978.

### C. Statutory Analysis

RP § 8-401(b)(4) states that the sheriff is to post a copy of the summons conspicuously [\*10] upon "the property." The term "property" is not specifically defined for purposes of this section.<sup>5</sup> Similarly, PLL § 9.3 requires posting on "said premises," but does not define that term. Neither statute provides specific direction as to the property or premises to be posted in the case of repossession of a single apartment within a multi-unit building. Indeed, in recodifying the summary ejectment law as part of the Real Property Article in 1974, the revisors noted that the statute left unanswered the question of where posting should occur when the leased premises is only part of a larger property. Chapter 12, Laws of Maryland 1974, Revisor's Note No. 6 at p. 355. Subsequent to that observation, the General Assembly has not adopted clarifying legislation.<sup>6</sup>

Even though the terms "premises" and "property" may be somewhat ambiguous, the command of both statutes is clear when those terms are given their ordinary meaning and read in context. Throughout both statutes, the terms "property" and "premises" are used interchangeably to refer to the property or premises to be repossessed by the landlord. In the case of repossession of a single apartment within a multi-unit building, the "property" or "premises" is the single apartment unit that is the subject of the summary ejectment proceeding. Thus, in our opinion, the statutes oblige the process server to post the summary ejectment summons on the individual apartment.<sup>7</sup>

This construction of RP § 8-401 and PLL § 9.3 is a common sense interpretation of the language of the statute in context. Where the ordinary and common meaning of the words used in a statute is clear and unambiguous, usually it is unnecessary to go further. *Schuman, Kane, Felts & Everngam v. Aluisi*, 341 Md. 115, 119, 668 A.2d 929 (1995). Nevertheless, "in the interest of completeness ... [courts] may look at the purpose of the statute and compare the result obtained by use of its plain language with that which results when the purpose of the statute is taken into account." *Id.*

This interpretation is confirmed by consideration of the purpose of the posting requirement in light of the constitutional mandate to provide "notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their

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<sup>5</sup> The Real Property Article provides a very general (and unhelpful) definition of "property" in § 1-101(k): "'Property' means real property or any interest therein or appurtenant thereto."

<sup>6</sup> During the 2000 Session of the General Assembly, a bill was introduced that would have expressly addressed service of summary ejectment process in a multi-unit building and would have authorized the sheriff to affix a copy of the summons either on the property to be repossessed or on the common area entrance. See House Bill 1358 (2000). That bill failed when it received an unfavorable report from the House Judiciary Committee.

<sup>7</sup> Because we conclude that the statute requires posting of the individual apartment, there is no need to address the question whether notice by first class mail and posting of a common area would satisfy constitutional due process requirements. Cf. *Greene v. Lindsey*, 456 U.S. 444 (1982) (Kentucky statute permitting service in a summary ejectment proceeding by posting alone held constitutionally deficient, notwithstanding that posting was on individual apartment doors within a multi-unit public housing project, because statute did not require any form of mail notice to tenant-defendants); *Velazquez v. Thompson*, 451 F.2d 202 (2d Cir. 1971) (New York summary ejectment scheme held to be clearly constitutional where it permitted service on a tenant-defendant by the posting of a copy of the summons and complaint on a conspicuous part of the property to be recovered, accompanied by certified or registered mail).

objections." Several factors peculiar to summary ejectment proceedings indicate why posting of an individual apartment is desirable and feasible.<sup>8</sup>

First, the cases proceed on an expedited timetable, with a trial scheduled five days after the filing of the complaint. RP § 8-401(b)(3). Elementary fairness requires prompt notice to the defendant. As a practical matter, a posting at a common entrance is likely to be less effective in accomplishing that purpose, as it is more susceptible to removal or destruction by other persons or the elements. Second, the potential consequences of an eviction action to the defendant are drastic. See *Sallie v. Tax Sale Investors, Inc.*, 998 F. Supp. 612, 620 (D.Md. 1998) ("Given the magnitude of the indignity and the loss of personalty attendant to an eviction without notice, it is indisputable that [tenants] are entitled to insist upon a genuine effort to provide notice having a substantial degree of effectiveness at a meaningful time prior to the eviction"). Finally, unlike most other proceedings, the plaintiff in an eviction proceeding has control over access to an individual apartment in a multiunit building. Given all these factors, we think it unlikely that the General Assembly intended to depart from the ordinary [\*14] meaning that would be given to the terms "property" and "premises" as they appear in context in RP § 8-401 and PLL § 9.3.

There may be circumstances in which the process server is unable, despite reasonable and good faith efforts, to affix the summons on the door of the individual apartment -- for example, if the deputy sheriff encounters physical obstacles beyond the control of the landlord-plaintiff preventing access to the individual apartment. If the tenant-defendant resists service "by threats, violence, or superior force," or makes it impossible for the deputy sheriff to access the apartment "without force or personal risk," as in any case, the process may be posted in a common area as near to the apartment as practicable.<sup>9</sup> See Annotated Code of Maryland, Courts & Judicial Proceedings Article, § 6-303. In other cases in which good faith efforts to post the apartment have failed, the District Court may order personal service by "any other means of service that it deems appropriate in the circumstances...." Maryland Rule 3-121(c).

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<sup>8</sup> We recognize that there is case law under statutes in other states, governing service of process generally, in which courts have approved of process servers leaving process within a multiunit building at a location short of the defendant's individual apartment. E.g., *F.L. duPont, Glore Forgan & Co. v. Chen*, 41 N.Y.2d 794, 795, 364 N.E.2d 1115 (N.Y. Ct. App. 1977) (defendant properly served where process server left papers with doorman in defendant's apartment house lobby, after doorman barred process server from access to defendant's individual apartment; "the actual dwelling place must be deemed to extend to the location at which the process server's progress is arrested"); *Johnson v. Motyl*, 202 A.D.2d 477, 478, 609 N.Y.S.2d 34 (1994) (remand for determination of whether process server's delivery of papers to neighbor residing in downstairs apartment of multi-unit building, together with mailing to defendant, would satisfy statute requiring personal service at defendant's residence; "there is flexibility in the requirement that delivery of the summons and complaint be made at the defendant's actual dwelling place"); *Albert Wagner & Son, Inc. v. Schreiber*, 210 A.D.2d 143, 621 N.Y.S.2d 15 (1994) (defendant served by affixing copy of summons and complaint to interior door of apartment building foyer, where process server's progress had been arrested on three earlier unsuccessful attempts to reach defendant's "actual dwelling place"); *Costine v. St. Vincent's Hospital & Medical Center*, 173 A.D.2d 422, 570 N.Y.S.2d 50 (1991) (defendant properly served where process server handed papers to guard at security booth outside defendant's private residential community and guard agreed to forward papers to defendant; "the outer bounds of defendant's actual dwelling place were deemed to extend to the security booth").

None of those cases involved a summary ejectment or eviction action or, as far as we can determine, a proceeding on an expedited schedule. Nor did any of those cases involve a situation in which the plaintiff was able to control access to the apartment, as in a typical landlord-tenant proceeding involving a multi-unit building. Those cases largely concerned the determination whether a doorman or the neighbor of an apartment dweller qualified as a person of "suitable age and discretion" at the defendant's residence to accept personal service of process. Only *Schreiber* approved of posting in a common area -- a holding based on a substitute service provision of the New York statute that required that the process server first exercise "due diligence" to make personal service. See NY CPLR 308(4). The Maryland summary ejectment statutes do not require due diligence to make personal service as a prerequisite to service by first class mail and posting.

<sup>9</sup> The fact that the building is located in a high-crime neighborhood, or that the building itself lacks security, would not constitute a basis for substitute service under this statute, as those conditions are not attributable to the tenant-defendant.

### III

#### **Conclusion**

In our opinion, the statutes governing service of process in summary ejectment actions require that the process server affix an attested copy of the summons conspicuously upon the property to be repossessed -- that is, the individual apartment. As with other forms of process, this requirement may be modified in extraordinary circumstances. For example, if the tenant-defendant makes it impossible for the deputy to access the apartment "without force or personal risk," the summons may be posted conspicuously in a common area near to the apartment. In other instances in which reasonable, good faith efforts to post the apartment fail, the court may order an alternative means of service.

**Load Date:** 2014-10-01

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# Maryland Access to Counsel in Evictions Program

JCR 2025  
Final Implementation and Future Costs Report

Submitted by



**November 2025**



## Background

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.

HB 18/Ch. 746 (the “ACE statute”) provided parameters for ACE, including tenant eligibility, implementation timing and prioritization, case types applicable for legal representation, and tenant outreach and education requirements. It also created the ACE Task Force and the ACE Special Fund. While the ACE statute went into effect October 1, 2021, no funding was designated for the program for fiscal year 2022, neither through the ACE Special Fund nor via any other funding stream, so services were not launched until funding was allocated in FY23.

## Status of Program at Final Implementation

MLSC has phased in ACE over a three-year period, with a statutory goal of full implementation by October 1, 2025. The program launched the first phase in 11 jurisdictions in FY23. In FY24, legal services expanded to the remaining 13 jurisdictions across the state. One of the reasons ACE is so successful is due to the coordinated intake system, which piloted in Baltimore City, and launched statewide in May 2024. Other components of the program include tenant outreach and education, and evaluation. As part of the third phase of ACE implementation, MLSC focused on refining and adjusting the program to address gaps and ensure its continued growth toward full potential.

During fiscal year 2025, ACE achieved comprehensive statewide service and enhanced its program management by broadening access in areas with frequent conflicts, increasing representation in jurisdictions with high demand, including Baltimore City and Montgomery County, and boosting outreach and education efforts. MLSC remains focused on refining and adjusting the program to ensure its continued growth toward full potential. As ACE cases have increased, so have opportunities for appeals – either filed on behalf of the landlords or the tenants. However, we observed a limited number of appeals filed, largely due to clients’ inability to afford the required appeal bonds. To address this barrier, MLSC established a targeted grant opportunity for fiscal year 2026 enabling grantees to access dedicated funding specifically for covering appeal bond costs in select ACE cases. There are currently five grantees participating in that funding opportunity.

Across the state, participating legal services providers closed 12,778 cases during FY25, representing a 44% increase over last year. From these closed cases, the legal services providers helped Maryland residents receive more than \$459,000 in housing judgments and avoid more than \$7.7 million in direct costs. More than 31,000 people were directly impacted and benefitted



from the representation provided. Of those tenants who received full representation in FY25, 81% avoided disruptive displacement. In comparison, in FY24, participating legal services providers closed 8,894 cases and in FY23, 3,973 cases were closed. From its inception, ACE has closed over 25,000 cases across the state of Maryland.



The expanding reach of ACE reflects the dedication and planning of its providers and partners. Eight organizations contracted with MLSC have led outreach and education, while stronger collaboration with the Judiciary supports same-day representation for income-qualifying Marylanders facing eviction. Unfortunately, the high number of evictions continues to outpace the number of individuals served by ACE and more work needs to be done to ingrain the existence of the program within the communities that need it most. To that end, now that implementation has been completed, and pending continued funding, MLSC and partners plan to focus on increasing visibility of the program – particularly the ability to reach an attorney by calling 211 – through advertising campaigns and targeted communications efforts.

### Total Cost of Implementation of the Program

The total cost for implementation of the program from its inception in FY 2022 through the end of FY 2025 has been \$34,038,922. The chart below presents the total expenditures divided into the standard ACE reporting categories. The rapid growth of ACE’s expenditures over its first three years reflects the significant scale-up required to achieve statewide implementation. This dramatic early growth was anticipated, as MLSC and its partners worked to establish the infrastructure necessary to deliver legal representation to tenants across Maryland — including expanding provider capacity, developing a coordinated intake system, and standing up outreach and data evaluation components.

By FY25, the ACE program reached full statewide operation, and funding levels began to stabilize, signaling a transition from the start-up phase to a period of sustained delivery and refinement.



Looking forward, growth in program funding is expected to continue, but at a more moderate pace, reflecting mature program operations and strategic reinvestment rather than rapid expansion.

Over the next two fiscal years (FY26–FY27), projections incorporate two key drivers of continued growth:

1. **Increased advertising and public awareness efforts**, which are designed to ensure tenants across Maryland understand their right to counsel and how to access services; and
2. **Rising demand for legal representation** as a result of this outreach, requiring additional investment in ACE grantees to meet the anticipated uptick in cases.

This planned, measured growth represents a healthy and sustainable trajectory for the program — one that balances operational stability with responsiveness to community need.

Category	FY23	FY24	FY25	FY26 (projected)	FY27 (projected)
<b>Legal Services Grants</b>	4,162,286	9,243,857	15,019,308	19,950,000	25,000,000
<b>Coordinated Intake Grants</b>	441,359	1,244,185	1,221,423	1,300,000	1,400,000
<b>Outreach Contractors &amp; Materials</b>	252,528	698,825	1,099,103	1,400,000	1,700,000
<b>MLSC Administration</b>	28,676	65,287	139,257	200,000	240,000
<b>Evaluation &amp; Data Collection</b>	29,065	162,660	110,716	120,000	130,000
<b>Brochures to Accompany Summons</b>	43,703	34,383	42,303	45,000	47,000
<b>Total</b>	<b>4,957,617</b>	<b>11,449,196</b>	<b>17,632,109</b>	<b>22,100,000</b>	<b>26,850,000</b>

### Status of Coordinated Intake

The Coordinated Intake System (CIS) serves as the central access point for Maryland tenants seeking free legal help with eviction or housing subsidy termination. Operated in partnership between Civil Justice, Inc. and the United Way of Central Maryland's 211 program, the system simplifies access to counsel by connecting eligible tenants with the appropriate legal services organization through a single phone call or online form. Before this system was created, tenants in crisis had to navigate a confusing patchwork of legal aid providers and eligibility rules, often



losing valuable time as eviction deadlines approached. Now, by dialing 2-1-1, tenants can be screened for ACE eligibility, referred to a legal services provider, and connected with supportive resources such as rental assistance, job training, and food programs.

The Access to Counsel in Evictions Task Force recommended the creation of a unified intake model to streamline referrals and ensure consistent statewide coverage. Following a pilot launch in Baltimore in May 2023, the system expanded statewide in May 2024. The coordinated intake infrastructure includes a centralized phone center and online portal, in-depth eligibility and legal issue screening, real-time case transfers to participating legal services organizations, and a closed-loop data system that tracks referrals and outcomes. This structure is supported by Civil Justice’s training and technology development and by United Way’s 211 specialists, who perform legal triage and connect callers to both ACE services and other essential supports.

Since its launch, the Coordinated Intake team has fielded over 10,000 calls statewide. More than 3,000 tenants have been connected with eviction representation, and an additional 3,000 callers have received help accessing rental or food assistance. Weekly intake data show steady growth in case volume, with peaks aligning to outreach efforts and court schedules. The Baltimore pilot demonstrated that early engagement—ideally before a court date—is critical to preventing displacement. The statewide system can serve as a model for rapid referral and coordinated legal response, ensuring that tenants can reach the right resources quickly and efficiently.

Implementation has required flexibility and patience as partners worked to develop and refine this new statewide infrastructure. Collecting intake information is inherently time-consuming, and continuous improvements to technology, workflows, and training have been central to increasing efficiency. Flexibility has been essential to adapting to unforeseen challenges, and frequent communication among partners has supported ongoing improvement. A gradual rollout allowed issues to be addressed and processes refined before statewide expansion, which proved to be a key advantage in the program’s success. Challenges to the program include reaching tenants early enough to connect them with services and tracking tenants who are not able to receive services from specific organizations due to various reasons.

With the system now fully operational across Maryland, the next phase of development will focus on increasing public awareness and expanding legal capacity. Enhanced advertising and outreach campaigns are planned to ensure that all tenants know to call 2-1-1 when facing eviction. In response to the expected rise in referrals resulting from these campaigns, MLSC and its partners will need to invest further in ACE grantees to expand their capacity to meet growing demand. These efforts will strengthen Maryland’s access-to-counsel infrastructure and ensure that every eligible tenant can access timely, high-quality legal assistance when facing eviction.



## Legal Services Providers

During FY25, the following legal services providers offered representation to tenants in the following jurisdictions with ACE funding<sup>1</sup>.

Legal Services Provider	Jurisdictions Covered	State funds	Federal funds
CASA	Anne Arundel County, Baltimore City, Baltimore County, Howard County, Montgomery County, Prince George's County	\$382,677	\$145,434
Community Legal Services	Anne Arundel County, Prince George's County	\$1,196,831	\$1,100,000
Disability Rights Maryland	Baltimore City, Baltimore County, Montgomery County, Prince George's County	\$387,069	\$0
Equal Justice Works	Attorney fellows placed with legal services providers participating in ACE	\$909,790	\$0
Harford County Bar Foundation	Harford County	\$143,114	\$0
Homeless Persons Representation Project	Baltimore City, Montgomery County	\$321,508	\$0
Maryland Legal Aid	Statewide	\$8,443,304	\$0
Pro Bono Resource Center	Baltimore City, Baltimore County	\$1,827,560	\$970,412
Public Justice Center	Baltimore City	\$529,679	\$0
Shore Legal Access	Caroline County, Dorchester County, Kent County, Queen Anne's County, Somerset County, Talbot County, Wicomico County, Worcester County	\$181,079	\$300,000
University of Baltimore Law – Housing Justice Fellowship Program	Law student externs placed with legal services providers participating in ACE	\$104,800	\$0
University of Maryland Carey School of Law Eviction Prevention Clinic	Baltimore City	\$263,907	\$0

<sup>1</sup> Some legal services providers offer representation to tenants in other jurisdictions with non-ACE funding.



### Program’s procedures for ensuring adequate coverage in each jurisdiction

Maryland Legal Aid (MLA) offers representation to tenants in all Maryland jurisdictions. In all but ten jurisdictions there is at least one other grantee that can provide representation to a tenant in the rare instance where MLA has a conflict of interest or otherwise cannot represent a tenant. In order to ensure full statewide coverage and maintain the availability of legal representation in all jurisdictions, beginning in FY26 MLSC awarded funds to Civil Justice, Inc. to develop and oversee a network of contract attorneys in those jurisdictions where MLA is currently the only ACE provider. Implementation began this fall in Howard, Frederick, and Charles counties. Implementation will follow in two additional phases – Cecil, Carroll, and Calvert counties this winter; Washington, Allegany, Garrett, and St. Mary’s counties next spring. Qualified contract attorneys will be paid \$175 per hour with an appropriate hourly cap for different case types (failure to pay rent, tenant holding over, and breach of lease cases). Civil Justice is responsible for attorney recruitment, training, case assignments, and reporting to MLSC.

### Case Statistics and Outcomes

The following data represents ACE cases closed during FY25. ACE maintained statewide coverage during FY25 and legal services providers closed cases in every jurisdiction. Participating legal services providers closed 12,778 cases during FY25, representing a 44% increase over last year.<sup>2</sup> From these closed cases, the legal services providers helped Maryland residents receive more than \$459,000 in housing judgments and avoid more than \$7.7 million in direct costs. More than 31,000 people were directly impacted and benefitted from the representation provided. Of those tenants who received full representation in FY25, 81% avoided disruptive displacement.

Type of Eviction	Cases
Failure to Pay Rent	11,466
Breach of Lease	456
Tenant Holding Over	610
Subsidy Termination	74
Other	172
<b>Total</b>	<b>12,778</b>

<sup>2</sup> In FY24, participating legal services providers closed 8,894 cases. In FY23, participating legal services providers closed 3,973 cases. From its inception, ACE has closed over 25,000 cases across the state of Maryland.



<b>County of Client Residence</b>	<b>Cases</b>
Allegany County	53
Anne Arundel County	2,108
Baltimore City <sup>3</sup>	2,443
Baltimore County	1,938
Calvert County	43
Caroline County	65
Carroll County	92
Cecil County	18
Charles County	197
Dorchester County	32
Frederick County	331
Garrett County	12
Harford County	385
Howard County	489
Kent County	14
Montgomery County	983
Prince George's County	2,652
Queen Anne's County	23
St. Mary's County	67
Somerset County	73
Talbot County	22

<sup>3</sup> Does not include 325 cases closed under Baltimore City's Right to Counsel in Evictions program, which is separately funded by the City.



Washington County	515
Wicomico County	178
Worcester County	45
<b>Total</b>	<b>12,778</b>

<b>Case Outcome</b>	<b>Cases<sup>4</sup></b>
Prevented eviction from public or subsidized housing	785
Prevented eviction from other housing	4,259
Prevented termination of housing subsidy	42
Delayed eviction, providing time to either pay-and-stay or seek alternative housing	4,685
Prevented eviction filing	303
Prevented denial of public/subsidized housing tenant's rights	47
Avoided or obtained redress for illegal or unfair charges by landlord	134
Overcame denial of tenant's rights under lease	40
Enforced rights to decent, habitable housing	128
Obtained reasonable accommodation	25
Preserved or restored access to personal property	46
Obtained repairs to dwelling	46

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<sup>4</sup> Some grantees report more than one benefit per case.

Obtained cash-for-keys, relocation assistance or other tenant settlement	110
Obtained neutral reference from landlord	18
Obtained other benefit for tenant	90
Obtained advice or counseling (client may have declined full representation)	1,228
Obtained representation in litigation or administrative proceeding	1,637
Client withdrew/benefit unknown	8

<b>Number of clients receiving services in more than one case<sup>5</sup></b>	1,359	10.6%
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### Rejected Tenants

This data shows the number of tenants not accepted by individual legal services providers during FY25. However, this may not reflect the actual number of rejected cases, which is likely lower than shown below. Often, tenants who are rejected by one provider are referred to another provider and receive assistance. Tracking these referrals has been challenging due to the burden on providers to follow up with one another. In response, we are refining our tracking methods to avoid duplication in reporting and expanding the Coordinated Intake system to ensure appropriate referrals.

Reason for Rejection	Number of Tenants
Insufficient Resources to Take Case	211
Conflict of Interest	17
Not in Provider's Case Acceptance Guidelines (Case Type, Geography)	672
Not Eligible Under MLSC Rules	554
Client Already Has Representation	21
Other	14
<b>Total</b>	<b>1,489</b>

<sup>5</sup> Given the various avenues tenants utilize to seek out legal assistance, MLSC is unable to track whether tenants seek counsel more than once for the same property or more than once for different properties, rather MLSC grantees track the number of clients receiving services in more than one case each quarter.

## Recommendation for a Permanent Funding Source

The continued success and stability of ACE depends on the establishment of a permanent and reliable state funding source. MLSC believes this is the only sustainable way to maintain ACE at its current level of service delivery without diverting resources from other critical areas of civil legal aid already funded by MLSC.

Following the 2024 legislative session, MLSC is now directing the modest revenue generated from the increased eviction filing fee surcharges, which currently provides approximately \$2.5 million annually, to support ACE operations. While this funding allows for meaningful program growth, it is neither enough nor a reliable long-term solution. The revenue is inherently unpredictable, as it fluctuates with the number of eviction filings—an external factor outside MLSC’s control. Moreover, the legislative purpose of increasing the filing fee was to reduce eviction filings and promote housing stability. As that goal is achieved and filings decline, the corresponding surcharge revenue will likewise decrease, leading to a shrinking and unstable funding base.

Non-permanent or uncertain funding mechanisms—such as filing fees, temporary grants, or federal allocations— can supplement but cannot serve as the primary source of funding for ACE. Federal funding, in particular, is often time-limited, subject to shifting priorities, and governed by eligibility and reporting requirements that are not aligned with Maryland’s statutory framework for ACE. Relying on such sources would risk periodic funding gaps, staff reductions, and interruptions in legal representation for tenants facing eviction.

A dedicated, ongoing state appropriation is therefore essential to ensure the continuity and effectiveness of ACE. Establishing this permanent funding mechanism will allow grantees to plan responsibly, maintain staffing capacity, and preserve resources for other vital areas of civil legal aid. Specifically, MLSC recommends that the sunset provision in the current funding statute be removed, thereby making the state’s investment in ACE permanent. Doing so will uphold the legislature’s intent in creating the Access to Counsel in Evictions program, protect the integrity of Maryland’s access-to-counsel framework, and guarantee that low-income tenants have consistent, dependable access to legal assistance statewide.

## Conclusion

The Access to Counsel in Evictions program represents a transformative advancement in Maryland’s efforts to promote housing stability and equitable access to justice. Over its first three years, ACE has built a strong foundation of statewide coverage, coordinated intake, and effective collaboration among legal service providers. With continued support and a stable funding structure, the program is well-positioned to deliver lasting impact for Maryland tenants and communities. Establishing permanent state funding will ensure that the progress achieved to date endures, allowing ACE to remain a cornerstone of Maryland’s commitment to preventing unnecessary evictions and protecting the rights of low-income residents.