



# Preventing Evictions in Montgomery County

**AUGUST 2022**

**Isaac Matthias**

Summer Fellow

University of Maryland, MPP

---

# Table of Contents

About the Fellow..... 3

Acknowledgements..... 3

Executive Summary..... 4

Introduction..... 5

Current Status of Evictions in Montgomery County ..... 9

Methodology ..... 16

Innovative and Surrounding Jurisdictions ..... 17

Policy Options for Montgomery County..... 27

Recommendation..... 30

Appendix: Copy of 10-Day Notice ..... 35

References ..... 37

---

## About the Fellow

Isaac Matthias is a rising second year Master of Public Policy student at the University of Maryland-College Park. He is originally from Milwaukee, Wisconsin and attended the University of Wisconsin-Madison, where he received his Bachelor of Science in Political Science and Afro-American History. Isaac is interested in social policy, particularly the subjects of criminal justice, housing, and welfare policy.



## Acknowledgements

Thank you to the Montgomery County Council and the Community Use of Public Facilities for hosting me as a Summer Fellow. Thank you to Pamela Dunn, Nicole Rodriguez-Hernandez, Naeem Mia, and Marlene Michaelson for their work in creating and running the Summer Fellows program and for all of their assistance in making this research project possible. Further thanks to all of those both within and outside of Montgomery County who assisted this project with advice, data, or any form of guidance.



---

# Executive Summary

## **Eviction in Montgomery County**

Evictions in Montgomery County were heavily impacted by the COVID-19 pandemic:

- Evictions in Fiscal Years (FY) 2020 and 2021 decreased substantially, with a 77% reduction from FY19 to FY21. This can largely be attributed to new and strengthened eviction prevention resources as a response to the increase in vulnerability to evictions.
- However, some of these resources have expired or been reduced in strength, which has corresponded with an increase in evictions in FY22. Furthermore, as of early July 2022, the failure to pay rent cases being heard in the Montgomery County District Court were from October and November of 2021, immediately after the federal eviction moratorium was struck down by the Supreme Court. This backlog shows that the FY22 figures are just the beginning of what may become a massive wave of evictions in Montgomery County.

## **Findings from Experts**

To create effective Eviction Diversion Programs, jurisdictions should:

- Provide the three A's: 1) access to free legal counsel, 2) assistance, such as rent relief, and 3) alternatives to court, such as landlord-tenant mediation.
- Intervene upstream in the process, specifically before an eviction filing takes place.

## **Recommendation**

To prevent evictions, the Montgomery County Council should:

- Move the County's intervention point in the eviction process further upstream by utilizing the State of Maryland's requirement that landlords provide tenants at-risk of eviction a 10-day written notice prior to filing as the intervention point.
- Shift the onus to seek assistance away from tenants by requiring landlords to provide the contact information of those receiving 10-day written notices to the Services to End and Prevent Homelessness program, who can then aid those tenants.

---

# Introduction

Montgomery County, Maryland, prior to the pandemic, evicted nearly 1,000 households each year, with an annual average of 934 evictions. This figure has reached as high as 1,099 evictions, as seen in Fiscal Year (FY) 2011. Beyond just formal, physical evictions, tens of thousands of households each year face the threat of eviction via eviction filings. This number peaked at 50,258 filings in FY11, with the number of filings regularly occurring in the 40,000's.<sup>1</sup> While these statistics may seem abstract, each of these numbers represent a household that is at-risk of losing their home or have lost their home, creating a massive individual crisis. Beyond just the individual crisis each eviction brings about, as evictions occur in Montgomery County, the County observes that, collectively, evictions exacerbate existing inequities, negatively impact the health of citizens, and generate financial harm to everyone involved -- tenants, landlords, the local economy at large, and the County taxpayers that fund the budget.

In Matthew Desmond's work documenting the lives of those impacted by evictions, *Evicted*, he describes the inequities of eviction by stating: "If incarceration had come to define the lives of men from impoverished Black neighborhoods, eviction was shaping the lives of women. Poor Black men were locked up. Poor Black women were locked out."<sup>2</sup> As already vulnerable and underserved communities experience evictions at a disproportionate rate, they then disproportionately experience the harm caused by evictions. According to a study by Matthew Desmond and Rachel Tolbert Kimbro, mothers who were recently evicted were 89% more likely to experience material hardship after eviction relative to similar mothers who were not evicted.<sup>3</sup> Furthermore, as people are evicted from their homes, they move into neighborhoods with higher poverty and crime rates compared to those who voluntarily moved, which increasingly concentrates poverty and crime.<sup>4</sup> This

---

concentration of poverty is of particular concern in Montgomery County, which has seen increases in poverty concentration in recent years that disproportionately impacts Asian, Black, and Latinx communities.<sup>5</sup> Eviction and its ability to expand existing inequities in Montgomery County is a concern, giving reason to intervene in the process to prevent evictions from happening.

Eviction also impacts the health of the individuals who have been displaced, as well as their children and future generations. Mothers who have been evicted show symptoms of depression at rates approximately 11% higher than their peers, even two to three years after the eviction occurred.<sup>6</sup> Compared to children who have not experienced an eviction or other forced move, children who experience housing insecurity have higher hospitalization rates and worse overall child health rates.<sup>7</sup> Additionally, data has shown that there is a change in infant mortality rates -- an increase of 1.85 infant deaths per 1000 -- associated with eviction.<sup>8</sup> As evictions create negative health outcomes for those who experience evictions and those impacted broadly, counties and local governments can improve overall public health by intervening in the eviction process with the targeted goal of decreasing evictions.

Beyond the social costs of eviction, there are real financial costs for a wide range of stakeholders, including tenants, landlords, businesses and the economy at large, and the County's taxpayers. Crucial for both social stability and cultural respect in America is the ability to have stable employment, something an eviction makes difficult. Eviction is linked to poor work performance due to the disruption and instability caused by the loss of housing.<sup>9</sup> Similarly, eviction is linked to job loss itself: employees who experience eviction are between 11-22% more likely to lose a job compared to those who do not experience eviction.<sup>10</sup> In addition to eviction being a devastating life event for employees, eviction-related employee turnover has a negative economic impact for employers. In a study on housing and employment insecurity, the authors state: "When employers dismiss those who



---

recently experienced a forced move, they often unnecessarily lose their investment in those workers and must expend more resources hiring and training new employees.”<sup>11</sup> As shown here, eviction leads to financial losses for the evicted individual, the employers, and, as businesses suffer, the local economy at large.

Additionally, eviction drives up the costs of numerous social services, whether it be homeless shelters and transitional housing, Medicaid and other public healthcare spending, or the increased cost of placing children in foster care.<sup>12</sup> Furthermore, counties can lose funding for public schools due to chronic absences of students, which increases as evictions increase.<sup>13</sup> As increasing evictions drive increased social spending, additional taxpayer dollars are required to provide the services demanded. Furthermore, evictions produce losses in funding to the County’s tax base, seen in the loss of tax revenue from those evicted and rendered unemployed. As a result, the County has a strong financial and economic incentive to decrease the number of evictions within its jurisdiction.

These negative outcomes caused by evictions showcase the importance of staying up to date on evictions in Montgomery County and the efforts to prevent evictions from occurring all throughout the United States. In 2018, the Office of Legislative Oversight wrote a report that reviewed the eviction process in Montgomery County and reported key findings and recommendations, including that the County funds programs that help fight against eviction, but that there are still other opportunities to better help households avoid evictions.<sup>14</sup> This report is comprehensive and a fantastic resource that describes evictions and the eviction process in Montgomery County in detail; yet, it was written in 2018 and much has changed since then.

In the four years since the report was written, the COVID-19 pandemic has emerged and continued to persist, creating a new context in which everything operates – including evictions. The increase in financial insecurity as a result of the impact of the pandemic has caused a greater portion

---

of the population to be vulnerable to evictions than ever before, and, while there have been additional protections to prevent evictions during the pandemic, many of them have expired or have otherwise been reduced in strength. This increase in vulnerable populations and the expiration of protections creates the potential for a noticeable spike in evictions, a major cause for concern. Since much has changed from the previous Office of Legislative Oversight report, now is an appropriate time to review the eviction process and eviction statistics in Montgomery County and look for opportunities to intervene in the process with the goal of preventing evictions from occurring.



---

# Current Status of Evictions in Montgomery County

Since the 2018 Office of Legislative Oversight Report titled “Evictions in Montgomery County” was published, changes to the status of evictions in Montgomery County have been observed. Notably, the COVID-19 pandemic has shifted the context in which evictions operate, both as a result of the impact the pandemic has had on citizens of Montgomery County and as a result of the policy response to the pandemic at the county and federal levels. Furthermore, since 2018, the State of Maryland has passed its own legislation that seeks to impact the eviction process throughout the state. By discussing these changes to the context in which evictions operate in Montgomery County and the impact it has had, it can be shown that additional interventions in the eviction process can best help prevent evictions from taking place.

## **COVID Response Legislation at the County and Federal Level**

In response to the COVID-19 pandemic, Montgomery County passed legislation to prevent evictions from occurring. These protections included a cap on rent increases in Montgomery County, versions of which have been in place since April 2020 all the way through May 15<sup>th</sup>, 2022, when the latest law – the Extended Limitation Against Rent Increases and Late Fees Act of 2021 – expired.<sup>15</sup> Initially, rent increases were capped at 1.4%. However, from February 4<sup>th</sup>, 2022 to May 15<sup>th</sup>, 2022, rent increases were capped at 0.4%.<sup>16</sup> Furthermore, landlords in Montgomery County were required to give tenants 90 days written notice prior to increasing the rent of a property, which was only permitted to happen once every 12 months.<sup>17</sup> While these rent controls expired as of May 15<sup>th</sup>, the County is considering additional legislation that would cap rent increases at 4.4%.<sup>18</sup>

---

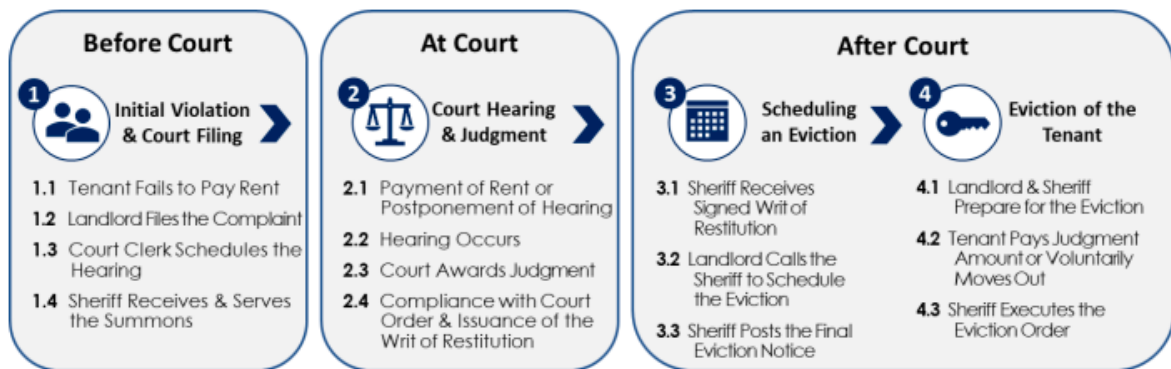
In addition to the County's actions to protect renters throughout the COVID-19 pandemic, the federal government enacted policies that sought to prevent evictions, including a now-expired eviction moratorium and increased federal funding for rental assistance. The eviction moratorium, which was struck down by the Supreme Court in November of 2021, prevented tenants from being legally evicted from their rental property for failure to pay rent.<sup>19</sup> Additionally, the United States Congress enacted a \$46 billion federal program to provide rental assistance to tenants who struggled to pay their rent throughout the pandemic.<sup>20</sup>

### **Maryland Right to Counsel Law**

On October 1<sup>st</sup>, 2021, Maryland's House Bill 18 (HB18) took effect, which established an "Access to Counsel in Evictions Program to direct services to provide covered individuals with access to legal representation."<sup>21</sup> In addition to providing legal counsel to renters facing eviction who meet the income eligibility requirements, HB18 requires landlords to send tenants a 10-day written notice before filing an eviction for failure to pay rent.<sup>22</sup>

Each of these aspects of HB18 addresses findings of the 2018 Office of Legislative Oversight report. This report found that "tenants with legal representation are less likely than unrepresented tenants to be evicted; however, the majority of tenants lack legal representation in housing court" and that "the State has established an expedited, low-cost process to evict tenants who have failed to pay rent."<sup>23</sup> By implementing HB18, the Maryland State Assembly allowed for an increase in access to legal representation for those facing eviction and intervened in the aforementioned expedited process by requiring the 10-day written notice.<sup>24</sup> This legislation, while in the early stages of implementation, can be expected to have a profound impact on the eviction process in Montgomery County and throughout Maryland as a whole.

## Montgomery County Eviction Process and Existing Interventions



25

The eviction process in Montgomery County can be seen in the diagram above, with each described step being a potential point of intervention for the County.<sup>26</sup> As previously described, HB18, which established a right to counsel for those facing eviction and a 10-day notice before filing an eviction for failure to pay rent, was recently implemented and marks a state-level point of intervention in the process that is not reflected in the above graphic.<sup>27</sup> This intervention occurs between 1.1 – Tenant Fails to Pay Rent – and 1.2 – Landlord Files the Complaint. A template copy of the notice that is required of landlords to provide to tenants, titled “Notice of Intent to File a Complaint for Summary Ejectment (Failure to Pay Rent),” can be found in the appendix.<sup>28</sup> Furthermore, this bill creates a right to counsel program for those facing eviction, which marks another intervention. This intervention would take place at 2.2 – Hearing Occurs.

In addition to the interventions that have been newly implemented, Montgomery County offers other interventions to prevent evictions from taking place. As outlined by the 2018 Office of Legislative Oversight report, the major intervention that takes place in Montgomery County is financial assistance through the Services to End and Prevent Homelessness (SEPH) program within the Department of Health and Human Services. This program administers grants that provide emergency financial assistance to prevent evictions on a one-time basis. To meet the eligibility criteria for this

---

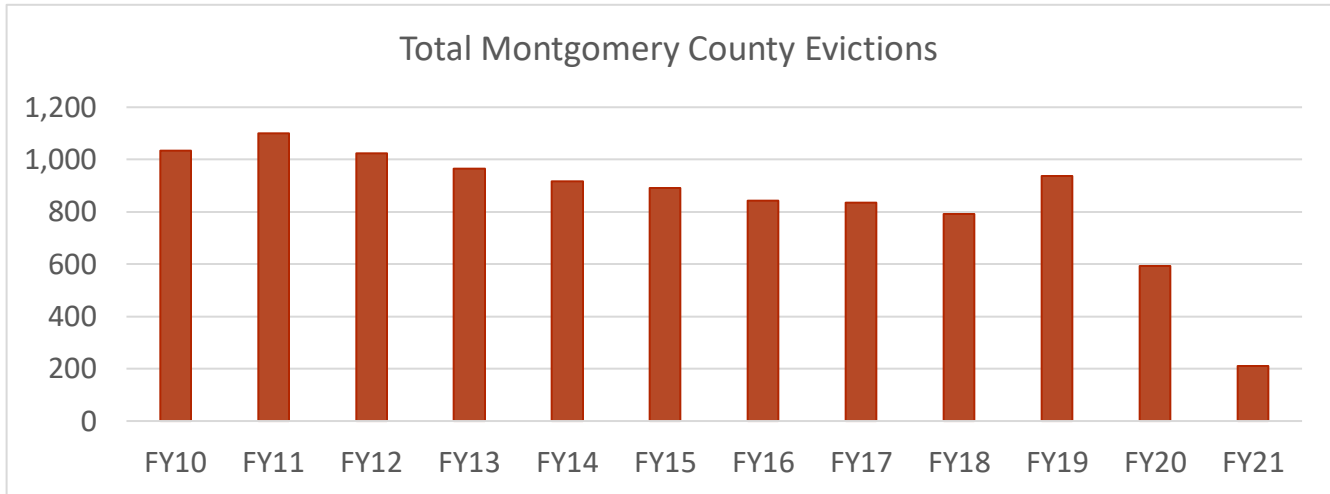
program, you must be at risk for a housing-related emergency such as eviction and have a “workable plan” to prevent assistance from being needed again.<sup>29</sup> This intervention often takes place at 2.4 – Compliance with Court Order & Issuance of the Writ of Restitution, as, at this point, tenants are formally at risk of being evicted and are in need of financial assistance.

The other notable intervention offered within Montgomery County is Landlord-Tenant Mediation. This program includes activities that mediate and arbitrate disputes and can act as an alternative to typical housing court.<sup>30</sup> This intervention requires a landlord and tenant to consent to mediation and would typically intervene at any point prior to 2.3 – Court Awards Judgement.

#### **Current Montgomery County Eviction Data**

The changing context of eviction as a result of the COVID-19 pandemic and the ensuing policies can be seen not only in the eviction process outlined above, but also in the comparison of the eviction data within Montgomery County before and after the pandemic. The interventions, whether it be the eviction moratoria, rent caps, right to counsel, or others, were effective in preventing evictions in Montgomery County, which can be seen in the table and graph below:

<b>Fiscal Year</b>	<b>Landlord-Tenant Cases Filed</b>	<b>Tenant Appeared</b>	<b>MCSO Writs Received</b>	<b>Total Evictions</b>	<b>% of Writs Leading to Evictions</b>
FY10	48,078	1,609	12,548	1,033	8%
FY11	50,258	1,447	13,057	1,099	8%
FY12	48,793	1,228	12,383	1,023	8%
FY13	47,612	1,286	13,395	964	7%
FY14	47,380	2,581	11,547	917	8%
FY15	44,465	1,348	10,766	890	8%
FY16	45,395	1,736	11,057	844	8%
FY17	45,827	738	10,451	836	8%
FY18	48,713	908	7,437	793	11%
FY19	49,938	1,368	9,637	938	10%
FY20	40,345	1,161	7,401	592	8%
FY21	30,640	1,779	1,848	211	11%



<sup>31</sup>2018 Office of Legislative Oversight Report | District Court of Maryland Statistics | Montgomery County Sheriff's Office

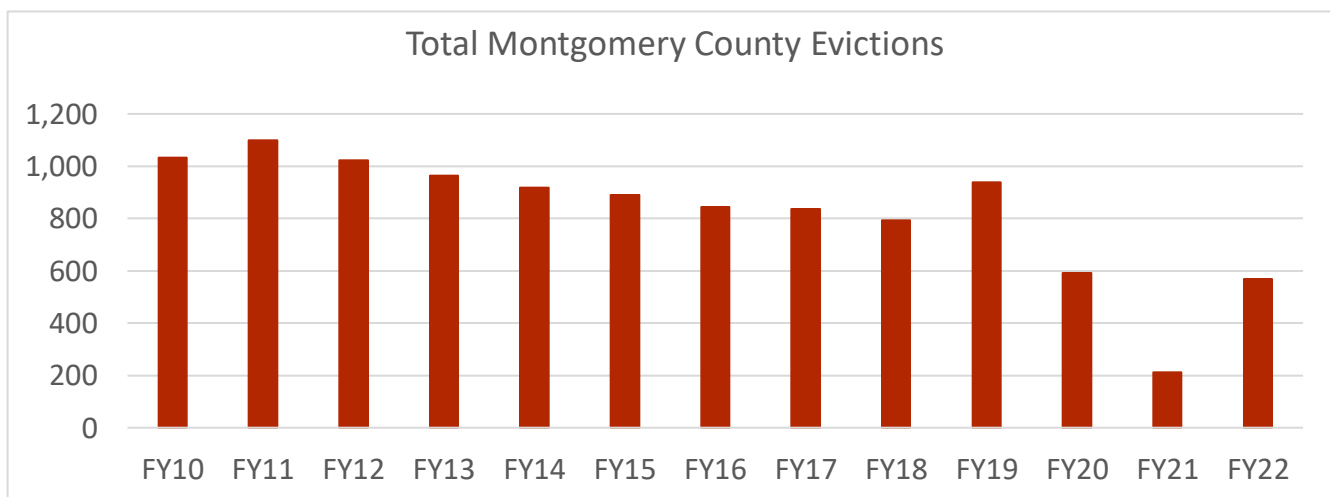
As can be seen, in FY20 and FY21, Landlord-Tenant Cases Filed, Montgomery County Sheriff's Office (MCSO) Writs Received, and Total Evictions all fell by a rather substantial margin relative to previous fiscal years. From FY19 to FY21, there was an observed 77% reduction in total evictions in Montgomery County.

In addition to the decreases in those categories, there was a notable increase in the number of tenants appearing in court, as FY21 had the second highest number of tenants appearing in court and the highest proportion relative to the number of filed landlord-tenant cases since FY10.<sup>32</sup> These data points are also likely attributable to the additional interventions and protections put in place during the pandemic. The ability to evict a tenant became increasingly difficult, resulting in the decrease in cases, writs, and evictions, while financial assistance became more plentiful, resulting in the increase of tenants appearing in court, as they oftentimes need to show the immediate risk of being evicted in order to receive assistance. While these are positive trends that have occurred in recent years, there is reason to believe that, as the protections have expired or have been reduced in strength, evictions in Montgomery County may soon trend back upwards again, potentially at a rate higher than pre-pandemic levels.

## Near-Term Outlook

As we continue to navigate the COVID-19 pandemic and the new landscape we must operate within, the outlook of evictions in Montgomery County needs to be closely observed. COVID-19 significantly impacted the way the eviction process operated within Montgomery County in the early days of the pandemic, as can be seen in the decline in evictions that took place as a result of the number of renter protections implemented by various levels of government. However, as these protections have expired or experienced significant cutbacks, the eviction process and its effects on the citizens of Montgomery County will change with it. The outlook of evictions in the County is much harsher than the reality of the previous years.

Nationally, eviction filings have spiked as protections have expired and Montgomery County can expect to experience a similar occurrence.<sup>33</sup> In fact, according to the Montgomery County Sheriff's Office, 569 evictions were carried out in FY22, a substantial increase from the 211 carried out in FY21.<sup>34</sup>



<sup>35</sup>2018 Office of Legislative Oversight Report | District Court of Maryland Statistics | Montgomery County Sheriff's Office

This phenomenon is likely to continue to occur as not only have protections expired that will cause normal eviction proceedings to transpire, but all the people who were being protected from evictions

---

throughout the pandemic may be at increased risk of being evicted, resulting in a potential massive wave of evictions. As of early July 2022, the failure to pay rent cases appearing in Montgomery County District Court were from October and November of 2021, immediately after the federal eviction moratorium was struck down by the Supreme Court. This shows that the spike in evictions in FY22 may be only the beginning of a larger eviction wave in Montgomery County. As the pandemic continues and as protections either expire or experience reductions in strength, it is imperative for Montgomery County to act to protect tenants from being evicted.



---

# Methodology

This report was put together utilizing information gathered through a multitude of different sources and methods. In formatting my research, I decided to compare Montgomery County's eviction prevention response to various jurisdictions that had implemented innovative eviction prevention programs in an effort to see how Montgomery County's efforts compared to the efforts of the most innovative and progressive jurisdictions on the topic of eviction. These jurisdictions – Kalamazoo, Jackson County, Philadelphia, and Syracuse – were chosen from trusted sources on the topic of eviction, such as: Eviction Lab<sup>36</sup>, Eviction Innovation<sup>37</sup>, and the American Bar Association<sup>38</sup>. Additionally, these trusted sources were utilized to gather information regarding general best practices in creating successful eviction diversion programs.

On top of innovative jurisdictions, I decided to compare Montgomery County's eviction prevention response to surrounding jurisdictions, such as: Fairfax County, Howard County, Prince George's County, and Washington, DC. These were chosen as points of comparison due to their proximity to Montgomery County in an effort to see how Montgomery County compared to the rest of the region.

For both innovative and surrounding jurisdictions, material was gathered from publicly available information on each jurisdiction's website, news coverage on the implementation and effectiveness of the eviction prevention programs, and via email correspondence with government officials.

---

# Innovative and Surrounding Jurisdictions

## Expert Best Practices

Based on their own studies and examinations of the policies of jurisdictions throughout the United States, experts have developed best practices in creating successful eviction diversion programs. One component of these programs has been categorized as containing “the three A’s:” Access to free legal counsel or a non-lawyer advocate, Assistance, such as rent relief and wraparound social services, and Alternatives to court, such as pre-filing mediation or post-filing settlement conferences.<sup>39</sup> In addition to “the three A’s,” the American Bar Association states that eviction diversion programs that intervene upstream, specifically before the filing of an eviction, are most efficient in diverting cases away from the court process and in connecting parties to resources.<sup>40</sup>

## Innovative Jurisdictions

The below innovative jurisdictions are ones that have implemented eviction diversion programs, each with their own differing points and methods of intervention, often aligning with these best practices outlined above. By examining these jurisdictions, Montgomery County can identify innovative ideas that may allow for new ways for the County to intervene in the eviction process.

### **Kalamazoo, Michigan**

In 2010, Kalamazoo, Michigan, created an eviction diversion program that partnered with the United States Department of Housing and Urban Development which sought to intervene in the eviction process before evictions were filed. This eviction diversion program brought “together state health and human services, public assistance, tenant legal services, nonprofit charitable organizations, and the judicial system” all in a common goal to prevent evictions from taking place.<sup>41</sup> One measure that Kalamazoo’s eviction diversion program took to prevent evictions was requiring

---

landlords to include a brochure describing the eviction diversion program with any evictions summons and to preemptively consent to landlord-tenant mediation by a third party.<sup>42</sup>

In addition to these points of intervention prior to an eviction filing taking place, Kalamazoo also supports tenants throughout the process. This includes attorneys or law school clinical programs providing legal advice and potential negotiation with the landlord. Furthermore, qualified tenants may receive funding to assist in paying the back rent to avoid eviction. Additionally, Kalamazoo moved to a central intake process for housing emergencies.<sup>43</sup> This centralization allowed for a more streamlined and effective way to assist those involved in housing emergencies.

Kalamazoo's eviction diversion program has been successful and has spurred other diversion programs like it. According to staff members, the eviction diversion program resulted in increased attendance at eviction hearings by nearly 50% as a result of the new mechanisms for negotiation and assistance in finding resources.<sup>44</sup> In just the first five years of the program, Kalamazoo saw a 50% decrease in executed judgements and a 9% decrease in homelessness.<sup>45</sup> As of 2020, it was noted that Kalamazoo had experienced a 73% decrease in eviction judgements and a 9% decrease in homelessness.<sup>46</sup>

### **Jackson County, Michigan**

Jackson County, Michigan, implemented a program that focuses on upstream intervention that relies on landlord-tenant mediation as an alternative to traditional housing court. This program works by having the initial eviction complaint presented to tenants contain a box which can be checked to request day-of-trial mediation before the case can be heard.<sup>47</sup> This box being checked automatically enters both the landlord and the tenant into the mediation service, as the landlord's consent is not needed to opt into the eviction diversion program. The mediation services allow for negotiating payment installments for back rent, discussing any items within the home that needs

---

repair before rent can be paid, and negotiating a date for the tenant to move out of the property. In addition to the mediation services, tenants can access legal services consultation and an assessment to determine if they are able to receive emergency services. Should the landlord and tenant come to an agreement in mediation, the case will typically be dismissed under the condition that both parties comply with the agreed settlement.<sup>48</sup>

The eviction diversion program in Jackson County, Michigan, was initially implemented with a trial period that ran from April 2014 through October 2014. Despite the trial period expiring, the eviction diversion program has continued to operate in Jackson County. The program costs approximately \$65,000 annually, which includes in-kind donations of volunteer mediator time. Despite the program running for approximately eight years, the number of cases scheduled for mediation is capped by the District Court due to limited amounts of resources. In 2019, this cap resulted in 480 tenants scheduled for mediation out of the 3,100 total landlord-tenant cases.<sup>49</sup>

### **Philadelphia, Pennsylvania**

On September 1<sup>st</sup>, 2020, Philadelphia, Pennsylvania created their Eviction Diversion Program, which is a free service that seeks to prevent evictions before the legal process begins.<sup>50</sup> In December of 2021, the Philadelphia City Council voted to move the program out of emergency status and into the City code, establishing local authorization for the program. The EDP mandates that landlords “must seek mediation with trained housing counselors and apply for rent assistance before being able to file for an eviction.”<sup>51</sup> Landlords apply for mediation through a City of Philadelphia Eviction Diversion Program website. Once the application is received, a pathway will be assigned based on factors such as the amount of back rent and fees the landlord is owed. City-funded housing counselors will meet with the tenant – landlords are encouraged to contact the housing counselors as well – and determine the resources needed. Then, the housing counselor will attend the landlord-

---

tenant mediation session alongside the tenant. These mediation sessions occur via telephone conference calls with a trained mediator. In the mediation session, landlords and tenants attempt to reach an agreement and, in the case that a successful agreement is reached, the mediation coordinator will write the agreement and both parties will agree to follow the determined steps.<sup>52</sup>

Philadelphia had been the fourth highest evicting city in the United States, processing approximately 20,000 evictions annually. Since the Eviction Diversion Program was implemented, Philadelphia has seen less than 4,500 processed evictions in 2020 and approximately 6,000 processed evictions in 2021. While this time period includes other eviction prevention services and increased rental assistance due to the COVID-19 pandemic that reduced evictions nationally, Philadelphia has nonetheless seen a 75% decrease in evictions. Even more promisingly, the Eviction Diversion Program had a 93% success rate in avoiding evictions as a result of the mandated landlord actions of seeking mediation and applying for rental assistance.<sup>53</sup> Not only has this helped lower the number of tenants getting evicted, but it has assisted landlords in avoiding the cost of vacancies and turning over units.<sup>54</sup>

### **Syracuse, New York**

The City of Syracuse in New York created two eviction prevention pilot programs which focused on early intervention services for tenants. In 2018, the Syracuse Department of Neighborhood and Business Development led and monitored a pilot program in which they hired two caseworkers to coordinate with property management staff to find out which tenants have fallen behind on rent and seek to assist them in order to prevent evictions.<sup>55</sup> This works by having the property manager alert Resident Support Services at Syracuse Housing Authority as a tenant misses their rent payment. Then, the Resident Support Services Coordinator meets with property management staff to determine who is at risk of eviction and works to connect them with the

---

services needed to prevent an eviction from taking place. Beyond financial rental assistance, tenants can be connected to volunteer lawyers to assist in any legal eviction filings.<sup>56</sup>

In addition to the Syracuse Housing Authority, a similar program was implemented in Clinton Plaza, a privately owned subsidized property, with collaboration from local Catholic charities while still monitored and led by the Syracuse Department of Neighborhood and Business Services.<sup>57</sup> This program followed nearly identical steps to those in the Syracuse Housing Authority pilot program.

These programs were successful in Syracuse, not only in preventing evictions from occurring but also saving money for those involved due to the decrease in eviction filings and lost rent. Specifically, the Syracuse Housing Authority prevented 30 families from being evicted which saved \$116,119 in 2018 alone. Clinton Plaza prevented 69 evictions from occurring, saving the property manager nearly \$219,752. When comparing the Syracuse Housing Authority pre-program and post-program, the success becomes even more clear. In 2017, the Syracuse Housing Authority filed 834 evictions which resulted in 60 tenants being evicted from their property. However, in 2018, after the program was implemented, the number of eviction filings fell to 203, with only 27 tenants being evicted, an all in all 75% reduction of eviction filings.<sup>58</sup>

	Where Does the Intervention Occur?	Who Seeks Assistance?	Access?	Assistance?	Alternatives?
Kalamazoo, MI	Largely at Court (First Step Occurs at Filing)	Tenant	Yes	Yes	Yes
Jackson County, MI	Largely at Court (First Step Occurs at Filing)	Tenant	Yes	Yes	Yes
Philadelphia, PA	Pre-filing	Landlord	Yes	Yes	Yes
Syracuse, NY	Pre-filing	Landlord	Yes	Yes	Yes

---

## **Surrounding Jurisdictions**

Like Montgomery County, the following jurisdictions are each located in the DC metro area. By examining these jurisdictions, we can compare the ways that Montgomery County deals with eviction to the jurisdictions that operate in similar contexts. This contextual similarity provides a necessary check to examine ways that Montgomery County is similar to its surrounding jurisdictions and areas where Montgomery County differs, for better or for worse. By doing this examination of Montgomery County's standing in the region, opportunities where Montgomery County can operate as a leader, or simply catch up, in efforts to prevent evictions within the DC metro area may emerge.

### **Fairfax County, Virginia**

Tenants in Fairfax County, Virginia can access a multitude of resources when facing evictions, whether they be through local government, state, or non-profit organization initiatives. In response to the COVID-19 pandemic, Fairfax County implemented the Fairfax County Emergency Rent Assistance Program, which provides up to 18 months of rental assistance to eligible "community members who have experienced a negative financial impact due to or during the Coronavirus pandemic."<sup>59</sup> Tenants are able to apply for the Emergency Rent Assistance Program by directly contacting Fairfax County Community Services Planning.<sup>60</sup>

Outside of financial assistance, Fairfax County offers voluntary landlord-tenant mediation through the Consumer Services Department. This mediation results in a consumer specialist being assigned before they "will mediate the complaint between the tenant and landlord and try to negotiate a resolution that is satisfactory to both parties."<sup>61</sup> The rental assistance and mediation offered by Fairfax County mark direct interventions into the eviction process.

In addition to the financial rental assistance and landlord-tenant mediation that Fairfax County offers, tenants within the County can access other resources and experience further



---

interventions. Recently, Virginia implemented a requirement where landlords must provide tenants a 14-day written notice before filing an eviction for failure to pay rent. In addition to the notice, Virginia legislated that “landlords who own more than four units must also offer tenants the option of entering a repayment plan with no late fees.”<sup>62</sup>

While free legal counsel is not offered by Virginia, they have worked to expand legal services for those who need it. Additionally, tenants facing eviction in Fairfax County can access legal counsel through Legal Services of Northern Virginia.<sup>63</sup> While these are not directly offered by Fairfax County, they are available to tenants facing eviction in the County.

### **Howard County, Maryland**

Howard County, Maryland’s Department of Housing and Community Development website prompts those who are facing eviction to reach out to the Community Action Council of Howard County, a non-profit offering rental assistance, among other resources, to those facing eviction.<sup>64</sup> As of February 3<sup>rd</sup>, 2022, Howard County had exhausted all available rental housing assistance funding, resulting in a reliance on non-profit organizations to provide rental assistance in the County.<sup>65</sup>

Despite Howard County not offering rental assistance themselves to residents facing eviction, they do offer landlord-tenant mediation through their Office of Consumer Protection, where they “try to resolve the dispute through mediation.” Furthermore, the Office of Consumer Protection has “A Tenant’s Guide to Residential Evictions in Howard County,” which provides information on the eviction process and directs those facing evictions to additional resources offered by non-profits.<sup>66</sup>

Outside of the resources directly offered or facilitated by Howard County, residents can access free legal counsel either through Howard County Legal Aid or as a result of the new State of Maryland right to counsel legislation. Much like Montgomery County, in order to access free legal counsel for eviction cases, a tenant must meet eligibility criteria tied to their income levels.<sup>67</sup>

---

While Howard County's local government itself may not offer many eviction prevention resources, they facilitate the assistance by making information available. In one form or another, residents facing eviction in Howard County can access some degree of financial rental assistance, landlord-tenant mediation, and free legal counsel.

### **Prince George's County, Maryland**

Within Prince George's County, Maryland's Health and Human Services Department is a Housing and Homeless Services program which seeks to provide information, assistance, and referrals to residents who are facing homelessness or an eviction. Those who are facing eviction or foreclosure can call the Department of Social Services Homelessness Prevention Program to access the following: screening of applicants for eligibility, interviewing and assessment, counseling, landlord-tenant mediation, referral to available resources, community outreach, and training. In addition to being able to call the department itself, Prince George's County's Housing and Homeless Services site lists four organizations that may be able to help those facing eviction or foreclosure.<sup>68</sup>

In order to apply for eviction or foreclosure assistance, one must call the Department or another service, where a staff member will then advise about the program and the information needed. There will be a preliminary screening for eligibility for financial assistance, and, if one meets the eligibility criteria, will be scheduled for an interview. This interview requires the following documents: wage/pay stubs, property records or deeds, the current lease, delinquent rent or mortgage bill, birth certificates and social security numbers, name and address of the landlord or mortgage company, and any other documentation that may support the claim for assistance. After this interview, those facing eviction or foreclosure may receive assistance.<sup>69</sup>

Lastly, much like Howard and Montgomery counties, tenants facing eviction can access legal representation through Maryland's right to counsel legislation. As previously noted, this assistance is

---

not open to everyone facing an eviction, as certain eligibility criteria must be met. All in all, Prince George's County residents can access rental assistance, tenant mediation, legal counsel, and more resources to help prevent an eviction from taking place.

### **Washington, DC**

Washington, DC contains multiple rental assistance programs and housing resources with the primary goal of preventing evictions for residents. These programs include Stronger Together By Assisting You DC (STAY DC), Emergency Rental Assistance Program (ERAP), and DC Flex.

STAY DC is “a financial assistance program for DC renters and housing providers who are looking for support to cover housing and utility expenses and offset the loss of income.” While this program is no longer accepting new applicants, residents who have applied can still check their application status.<sup>70</sup>

The Emergency Rental Assistance Program (ERAP) is a program that seeks to assist DC residents who earn less than 40% of the Area Median Income and are facing housing emergencies. In addition to these income requirements, in order to be eligible, residents must be at least 30 days behind in rent. ERAP assists these residents by providing funding for overdue rent, late fees, and court costs. Residents are only able to apply for this program once a year.<sup>71</sup>

DC Flex is a pilot rental subsidy program that was launched in 2017, which provides low-income, working families \$7,200 to spend per year on rent. This money can be spent flexibly throughout the year as “income and expenses may fluctuate month-to-month.”<sup>72</sup>

In addition to these programs within Washington, DC that seek to aid tenants to prevent evictions from happening due to financial emergencies, they also have other interventions with the same goal. For example, in March of 2022, the Washington DC Council approved a policy that barred landlords from filing evictions against tenants for owing less than \$600 in back rent.<sup>73</sup> Furthermore, in

court, there is a voluntary option for landlords and tenants to agree to participate in third party landlord-tenant mediation on the day they come to court for a hearing.<sup>74</sup>

Ultimately, DC residents facing evictions can access much of the same resources as the tenants in surrounding counties, including Montgomery County, although DC has a wider array of financial assistance programs that directly target renters.

	Where Does the Intervention Occur?	Who Seeks Assistance?	Access?	Assistance?	Alternatives?
<b>Fairfax County, VA</b>	Largely at Court	Tenant	Yes (Non-profit)	Yes	Yes
<b>Howard County, MD</b>	Largely at Court	Tenant	Yes (State)	Yes (Non-profit)	Yes
<b>Prince George's County, MD</b>	Largely at Court	Tenant	Yes (State)	Yes	Yes
<b>Washington, DC</b>	Largely at Court	Tenant	Yes (Non-profit)	Yes	Yes

---

# Policy Options for Montgomery County

In drawing from both innovative and surrounding jurisdictions, to understand the future policy options for Montgomery County, it is important to begin with one of the components of successful eviction diversion programs: the three A's. Tenants in Montgomery County can access each of these three A's: access to free legal counsel, assistance, and alternatives. As a result of Maryland's Right to Counsel Legislation, Montgomery County residents, who meet the income thresholds, have access to free legal counsel or a non-lawyer advocate.<sup>75</sup> As for assistance, Montgomery County offers financial assistance for those at risk of eviction through Homelessness Prevention Services.<sup>76</sup> Lastly, as it relates to alternatives, Montgomery County offers landlord-tenant mediation, an alternative to housing court.<sup>77</sup> As the County checks the boxes of the three A's, any future policy options revolve around ways to strengthen a program with these components, more effectively intervene using these components, or justify leaving these options as is.

As outlined by the American Bar Association, the most effective point to intervene in the eviction process is upstream, specifically prior to an eviction being filed, if the goal is to reduce court appearances and to provide support to tenants.<sup>78</sup> In Montgomery County, interventions largely do not occur until after an eviction has been filed and, in the case of financial assistance, often not until after a Writ of Restitution has been granted to the landlord. This differs substantially to the practices seen in places like Philadelphia and Syracuse. In Philadelphia, landlords are required to apply for landlord-tenant mediation and financial assistance prior to filing for eviction.<sup>79</sup> In Syracuse's pilot program, landlords had to reach out to the Housing Authority or Catholic Charities to have these services intervene prior to an eviction is filed.<sup>80</sup>

---

Not only does Montgomery County differ from the practices of Philadelphia and Syracuse in terms of when the intervention occurs, it also differs in terms of where the onus is placed for seeking assistance. In Montgomery County, the onus is placed on tenants to reach out for assistance. This can be seen in the 10-day eviction notice that is given to tenants after they fail to pay rent, where they are prompted to reach out to organizations if they need assistance. Other forms of intervention, such as legal support and landlord-tenant mediation, requires the tenant to be aware of these resources and to make the effort to utilize them to their benefit. However, in places like Philadelphia and Syracuse, the onus is on the landlord to reach out for assistance, creating a strong intervention point prior to the filing of evictions. When the onus is placed on tenants, the eviction process has begun in some form or fashion, bypassing the strongest points of intervention.

Furthermore, placing the onus on a person who is facing an eviction is placing this onus on someone who is in the middle of a crisis. Even in the case that they are aware of the resources available to them, for a tenant facing eviction to receive help, they must additionally have the time and the means to seek out the assistance. When someone is facing an eviction, they often worry about the next place they are going to live, where their children can go to school next, and how to best adapt on the fly. This shifting of the onus from tenants to other parties to seek and provide assistance that can be seen in Philadelphia and Syracuse can be utilized as a potential policy option for Montgomery County to more effectively intervene upstream in the eviction process.

Another policy option for Montgomery County to consider is to make it easier for tenants to access certain resources, such as landlord-tenant mediation, as can be seen in Kalamazoo, Michigan and Jackson County, Michigan. In both Kalamazoo and Jackson County, landlords must automatically consent to landlord-tenant mediation when filing an eviction.<sup>81</sup> This model of having landlords automatically consent to alternatives to court is something for Montgomery County to consider.

---

Currently, landlord-tenant mediation in Montgomery County requires both parties to consent, resulting in a potential gap between those who can benefit from mediation and those who are granted mediation. In creating a program in which landlords automatically consent to landlord-tenant mediation and tenants simply have to opt-in to the option, Montgomery County would strengthen an already existing resource to help prevent evictions from taking place. This strengthening of existing programs, influenced by innovative jurisdictions such as Kalamazoo and Jackson County, can be another potential policy option for Montgomery County to consider in working to prevent evictions.

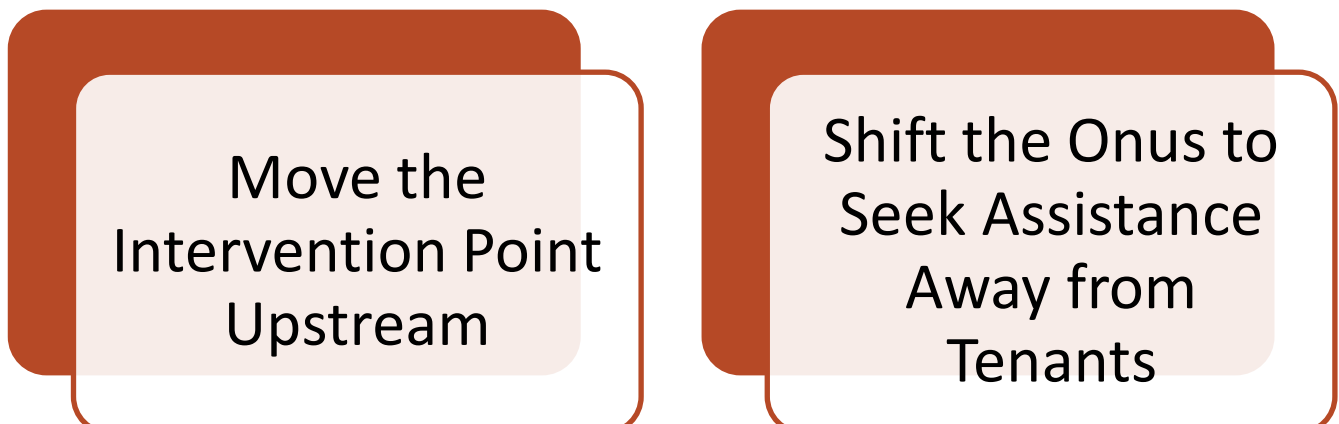
Lastly, another option Montgomery County can consider is to remain with the status quo. As can be seen, Montgomery County residents can already access the three A's of effective eviction diversion programs: access, assistance, and alternatives. In doing so, Montgomery County has not only kept up with the jurisdictions in closest proximity, but it has already witnessed a decrease in evictions in recent years. While the decrease in evictions can likely be tied to the pandemic specific protections, it remains to be seen if evictions will truly surge back to levels pre-pandemic, although early signs point to that being the case. Furthermore, Maryland's Right to Counsel legislation is newly implemented and the full extent of its impact remains to be seen. However, in the case that Montgomery County chooses to remain with the status quo, it does leave policy options on the table that can more effectively intervene in the eviction process. Leaving these options on the table could cause residents to be needlessly evicted from their homes.

Drawing from the practices of both innovative and surrounding jurisdictions, Montgomery County has options on how to approach any future interventions in the eviction process to prevent evictions from taking place. After detailing these practices and analyzing the options for Montgomery County in particular, recommendations can be made.



---

## Recommendation



Move the  
Intervention Point  
Upstream

Shift the Onus to  
Seek Assistance  
Away from  
Tenants

As previously discussed, in order to have a successful eviction diversion program, jurisdictions need to provide the following resources to tenants facing eviction: access to legal counsel, financial assistance, and alternatives to court such as landlord-tenant mediation. Montgomery County currently provides all three of these resources. However, in reaching the goals of best serving tenants and to prevent evictions from occurring, adjustments to how the County intervenes in the eviction process are recommended.

While Montgomery County has the three A's component of successful eviction diversion programs covered, two flaws stand out. These flaws are that: 1) the strongest interventions are most prominently occurring at the courthouse, rather than further upstream in the eviction process, and: 2) that the onus to seek assistance is on tenants already facing evictions. In having assistance both be heavily consolidated downstream and in the hands of tenants to seek out, there is a massive gap between the population served by the resources Montgomery County has to offer and the population who needs assistance. In order to best serve the needs of residents in Montgomery County, it is recommended to move the strongest interventions further upstream in the eviction process and to shift the onus to seek assistance away from those who are facing eviction.

---

In identifying ways to implement these two recommendations to more effectively intervene in the eviction process with the goal of stopping evictions, the previously described best practices of jurisdictions such as the City of Philadelphia, Pennsylvania and the City of Syracuse, New York can be identified as models. In these jurisdictions, not only is the intervention taking place prior to an eviction filing, the intervention is also the duty of non-tenant parties to initiate. For example, in Philadelphia, before landlords can file for an eviction, they must initiate the intervention by seeking both landlord-tenant mediation and financial assistance.<sup>82</sup> The City of Syracuse's pilot eviction diversion programs functioned similarly, as they had building managers contact either the Syracuse Housing Authority or Catholic Charities with information on who was at risk of being evicted, and then those organizations provided the needed assistance.<sup>83</sup> Montgomery County can utilize these practices in their own program to prevent evictions from occurring.

In order to implement the recommendation of an eviction diversion program that is both upstream and removes the onus from tenants to seek assistance in Montgomery County, there are logistical steps to be taken. In order to move the point of intervention upstream in the eviction process, the ideal point of intervention must be identified. As outlined by the American Bar Association, the most effective point of intervention is before an eviction is filed in order to prevent cases from going to court and to aid those who need it.<sup>84</sup> To build the most effective intervention point, Montgomery County should seek to intervene prior to the eviction being filed. Due to Maryland HB18, after a tenant fails to pay rent, landlords must now provide a 10-day written notice prior to formally filing for an eviction. In this notice is a relatively weak intervention on the paper itself, where resources are listed that may be of use for the tenant facing eviction, as can be seen in the Appendix.<sup>85</sup> Despite this, most interventions formally occur at the court date or after a Writ of Restitution has been granted to the landlord, displaying the need to move that intervention

---

upstream. In order to intervene in the eviction process pre-filing, Montgomery County should utilize the new State of Maryland law requiring landlords provide the 10-day notice as a point of intervention, as landlords are identifying those who are at-risk of eviction already. This would not require changes to state laws, as the Montgomery County Council could implement this requirement for landlords on their own at the point where Maryland requires landlords provide this 10-day notice.

As landlords are identifying those who are at-risk of eviction by serving them the notice before filing an eviction, the Montgomery County Council can utilize this by having landlords provide the information of those who are being served this notice to the County. Montgomery County currently has a program, Services to End and Prevent Homelessness (SEPH), within the Department of Health and Human Services, which has a prevention service that “provides conflict resolution, mediation, financial assistance, housing location, and case management to County residents at risk of or experiencing homelessness.”<sup>86</sup> The Montgomery County Council can utilize this existing SEPH program, which already provides resources to County residents in crises such as facing eviction, as a central agency where landlords, when providing the 10-day notice, are required to additionally report the information of tenants at-risk of eviction to SEPH. As the program receives the information of those who are at-risk of an eviction, they would then be able to reach out and contact those tenants and determine which resources are needed, rather than relying on those facing eviction to reach out to them. By having landlords report which tenants are receiving the 10-day notices to SEPH, Montgomery County can not only consolidate interventions into the eviction process before an eviction filing is made, but also shift the onus to seek assistance away from the tenants in the middle of a crisis.

This policy would create a more effective eviction diversion program by reducing the gap between those who need resources to prevent evictions and those who receive resources. As a result

---

of this gap reduction, the population serviced by SEPH would substantially increase, resulting in a need for additional resources in order to meet the needs of this growing service population.

Not only would the Montgomery County Council need to implement policy measures to require landlords to report those at-risk of eviction, but they would need to assign resources to SEPH to meet the new level of demand. This policy change would likely require not only additional staff to meet the required intake and coordination levels, but also funding to increase the capacity of the financial rental assistance and landlord-tenant mediation. Allocating the necessary resources, both financial and human, presents a potential political challenge in implementation of such a policy. In addition to this, there may be pushback from landlords, particularly commercial landlords who own numerous properties throughout the County. This pushback would be the result of the requirement of an extra step in their eviction timeline and a removal of the power of an eviction filing.

However, as Bob Glaves, the Executive Director of the Chicago Bar Association says, “Most landlords just want to get paid and most tenants just want to pay the rent.”<sup>87</sup> This policy change can be justified to landlords by citing the expected reduced rental turnover, the ability to receive rent via financial assistance rather than chase down late and unpaid rent, and the removal of the various costs of evicting a tenant. While these implementation challenges and hurdles are to be expected, ultimately, the benefits from reducing evictions in Montgomery County would substantially outweigh these potential concerns.

Montgomery County, despite facing a potential wave of evictions, can create a strong upstream intervention point where the onus to seek assistance is removed from those in crisis. In doing this, the County would not only align itself with the best practices described by experts and the policies implemented by the most progressive and innovative jurisdictions around the nation, but they would also immediately become a leader in the region, setting itself apart from its neighbors in

---

the DC metro area. Most importantly, Montgomery County would decrease the number of evictions taking place within the County. This would save numerous individuals and families from losing their homes and being in a crisis that not only impacts the individuals directly touched, but the larger communities and County as well. Ultimately, by moving the intervention point of eviction prevention resources upstream and shifting the onus to seek these resources away from those tenants in crisis, Montgomery County would show itself to be a leader in eviction prevention and positively impact the lives of some of the most vulnerable populations in the County.

# Appendix: Copy of 10-Day Notice

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

Rental Assistance may be available to both Landlords and Tenants.  
Visit [mdcourts.gov/legalhelp/housing](http://mdcourts.gov/legalhelp/housing) or call 410-260-1392.

FROM: \_\_\_\_\_  
Landlord/Agent  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
E-mail Address \_\_\_\_\_

TO: \_\_\_\_\_  
Tenant (1) \_\_\_\_\_ Tenant (2) \_\_\_\_\_  
Tenant (3) \_\_\_\_\_ Tenant (4) \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
E-mail Address(es) \_\_\_\_\_

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

The past-due rent and late fee amounts claimed by the landlord to be due are:

\$ \_\_\_\_\_ rent for the ☐ months ☐ weeks \_\_\_\_\_ to \_\_\_\_\_

\$ \_\_\_\_\_ \*late fees for the ☐ months ☐ weeks \_\_\_\_\_ to \_\_\_\_\_

\*Due pursuant to the terms of your lease.

\$ \_\_\_\_\_ \*TOTAL

\*Does not include other charges related to utilities, services, other fees, fines, and court costs.

At your request, the landlord must promptly provide you an itemized accounting of debits and credits (rental ledger) showing how the landlord came up with the amount they claim you owe.

### LANDLORD/AGENT CONTACT INFORMATION (if different from above)

Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

### DATE AND METHOD OF PROVIDING NOTICE

This notice was provided to the tenant by the landlord on \_\_\_\_\_ by:

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

\_\_\_\_\_  
Date Signature of Landlord/Attorney/Agent Attorney Number

### COURT RESOURCES FOR TENANTS

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



See page 2 for nonprofit legal services organizations that may provide legal advice and representation for tenants who qualify.  
DC-CV-115 (Rev. 11/2021) Page 1 of 2

## Nonprofit Legal Services Organizations – Eviction Help

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

These organizations may be able to provide legal advice or representation for tenants who qualify.			
<b>Allegany County</b> Allegany Law Foundation 301-722-3390 alleganylaw.com  Maryland Legal Aid 301-777-7474 mdlaborg	<b>Baltimore County (Continued)</b> Pro Bono Resource Center 443-703-3053 probonomd.org  St. Ambrose Housing Aid Center 410-366-8550 x249 stambros.org	<b>Frederick County</b> Maryland Legal Aid 301-694-7414 mdlaborg  <b>Garrett County</b> Maryland Legal Aid 301-777-7474 mdlaborg	<b>Queen Anne's County</b> Maryland Legal Aid 410-763-9676 mdlaborg  Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org
<b>Anne Arundel County</b> Community Legal Services 240-391-6370 clspgc.org  Maryland Legal Aid 410-972-2700 mdlaborg	<b>Caroline County</b> Maryland Legal Aid 410-763-9676 mdlaborg  Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org	<b>Harford County</b> Maryland Legal Aid 410-836-8202 mdlaborg	<b>St. Mary's County</b> Maryland Legal Aid 301-932-6661 mdlaborg  <b>Somerset County</b> Maryland Legal Aid 410-546-5511 mdlaborg
<b>Baltimore City</b> Disability Rights Maryland (If eviction is related to disability) 410-727-6352 disabilityrightsmd.org  Homeless Persons Representation Project (Public/Subsidized Housing) 410-685-6589 hprplaw.org  Maryland Legal Aid 410-951-7750 mdlaborg  Pro Bono Resource Center 443-703-3053 probonomd.org  Public Justice Center 410-625-9409 publicjustice.org  St. Ambrose Housing Aid Center 410-366-8550 x249 stambros.org	<b>Carroll County</b> Maryland Legal Aid 301-694-7414 mdlaborg  <b>Calvert County</b> Maryland Legal Aid 301-932-6661 mdlaborg  <b>Cecil County</b> Maryland Legal Aid 410-836-8202 mdlaborg  <b>Charles County</b> Maryland Legal Aid 301-932-6661 mdlaborg  <b>Dorchester County</b> Maryland Legal Aid 410-546-5511 mdlaborg  Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org	<b>Howard County</b> Maryland Legal Aid 410-972-2700 mdlaborg  <b>Kent County</b> Maryland Legal Aid 410-763-9676 mdlaborg  Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org  <b>Montgomery County</b> Maryland Legal Aid 240-314-0373 mdlaborg  Montgomery County Bar Foundation 301-424-7651 barmont.org  Homeless Person Representation Project 410-387-3126 hprplaw.org	<b>Talbot County</b> Maryland Legal Aid 410-763-9676 mdlaborg  Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org  <b>Washington County</b> Maryland Legal Aid 301-694-7414 mdlaborg  <b>Wicomico County</b> Maryland Legal Aid 410-546-5511 mdlaborg  Mid-Shore Pro Bono 410-690-8128 midshoreprobono.org
<b>Baltimore County</b> Maryland Legal Aid 410-427-1800 mdlaborg		<b>Prince George's County</b> Community Legal Services 240-391-6370 clspgc.org  Maryland Legal Aid 301-560-2100 mdlaborg	<b>Worcester County</b> Maryland Legal Aid 410-546-5511 mdlaborg



---

# References

---

- <sup>1</sup> “District Court of Maryland Statistics,” *District Court of Maryland*. Accessed 20 July 2022. ([online](#))
- <sup>2</sup> Desmond, Matthew, *Evicted*, Crown Publishers, 2016.
- <sup>3</sup> Desmond, Matthew and Rachel Tolbert Kimbro, “Eviction’s Fallout: Housing, Hardship, and Health.” *Social Forces*, 24 February 2015, pp 16. ([online](#))
- <sup>4</sup> Desmond, Matthew and Tracey Shollenberger “Forced Displacement From Rental Housing: Prevalence and Neighborhood Consequences,” *Population Association of America*, 19 August 2015, pp. 1763. ([online](#))
- <sup>5</sup> Kraft, Benjamin and Carrie McCarthy, “Briefing on Neighborhood Change in the Metropolitan Washington Area,” *Montgomery Planning*, 19 May 2022. ([online](#))
- <sup>6</sup> Desmond and Tolbert Kimbro, *Eviction’s Fallout*, pp 19.
- <sup>7</sup> Sandel, Megan, MD. et al. “Unstable Housing and Caregiver and Child Health in Renter Families,” *Pediatrics*, 2018. ([online](#))
- <sup>8</sup> Himmelstein, Gracie and Matthew Desmond, “Association of Eviction With Adverse Birth Outcomes Among Women in Georgia, 2000 to 2016,” *JAMA Pediatrics*, Vol. 175, Number 5, May 2021. ([online](#))
- <sup>9</sup> Desmond, Matthew and Carl Gershenson, “Housing and Employment Insecurity among the Working Poor,” *Social Problems*, Vol. 63, Issue 1, February 2016. ([online](#)).
- <sup>10</sup> Ibid.
- <sup>11</sup> Ibid.
- <sup>12</sup> Hill, Matt, et al. “Reports Show the Effectiveness of Providing a Right to Counsel to Challenge Baltimore’s High Rate of Evictions and its Disparate Racial and Gender Impact,” *Public Justice Center*, 18 May 2020. ([online](#))
- <sup>13</sup> Ibid.
- <sup>14</sup> Bryant, Stephanie, et al. “Evictions in Montgomery County,” *Office of Legislative Oversight*, 2 October 2018. ([online](#))
- <sup>15</sup> Barthel, Margaret, “The Rent Increase Cap Has Ended in Montgomery County,” *DCist*, 16 May 2022. ([online](#))
- <sup>16</sup> “Amount of Allowable Landlord Rent Increase.” *Montgomery County Maryland*, 4 February 2022. ([online](#))
- <sup>17</sup> Ibid.
- <sup>18</sup> Ryan, Kate, “Elrich Propose Extending a Cap on Rent Increases in Montgomery County.” *WTOP News*. 15 June 2022. ([online](#))
- <sup>19</sup> Liptak, Adam and Glenn Thrush, “Supreme Court Ends Biden’s Eviction Moratorium,” *New York Times*. 7 November 2021. ([online](#))
- <sup>20</sup> Kasakove, Sophie and Glenn Thrush, “Federal Rental Assistance is Running Out, With Tenants Still in Need,” *New York Times*. 7 January 2022. ([online](#))
- <sup>21</sup> “Landlord and Tenant – Residential Tenants – Access to Counsel,” *Maryland General Assembly*. 15 June 2021. ([online](#))
- <sup>22</sup> “Maryland’s ‘Right to Counsel’ Protects Renters from Eviction,” *National Low Income Housing Coalition*. 30 September 2021. ([online](#))
- <sup>23</sup> Bryant, *Evictions in Montgomery County*
- <sup>24</sup> Ibid.
- <sup>25</sup> Ibid.
- <sup>26</sup> Ibid.
- <sup>27</sup> NLIHC, Maryland’s Right to Counsel
- <sup>28</sup> “Notice of Intent to File a Complaint for Summary Ejectment (Failure to Pay Rent),” *Maryland Courts*. Accessed 20 July 2022 ([online](#))
- <sup>29</sup> *Evictions in Montgomery County*
- <sup>30</sup> “Program Description: Landlord-Tenant Mediation,” *Montgomery County Operating Budget*. Accessed 20 July 2022 ([online](#))
- <sup>31</sup> *Evictions in Montgomery County* | “District Court of Maryland Statistics,” *District Court of Maryland*. Accessed 20 July 2022. ([online](#))
- <sup>32</sup> Ibid.

- 
- <sup>33</sup> Ludden, Jennifer, “Eviction Filings Are Up Sharply as Pandemic Rental Aid Starts to Run Out,” *NPR*. 4 May 2022 ([online](#))
- <sup>34</sup> Lewis, Robin. Email to Isaac Matthias. 14 July 2022.
- <sup>35</sup> *Evictions in Montgomery County* | “District Court of Maryland Statistics,” *District Court of Maryland*. Accessed 20 July 2022. ([online](#))
- <sup>36</sup> Garnham, Juan Pablo, “Eviction Diversion: Preventing Evictions Before Going to Court.” *Eviction Lab*. 2 September 2021. ([online](#))
- <sup>37</sup> “Eviction Innovation.” *Eviction Innovation*. Accessed 20 July 2022. ([online](#))
- <sup>38</sup> Parrish, Deanna Pantín, “Designing for Housing Stability: Best Practices for Court-Based and Court-Adjacent Eviction Prevention and/or Diversion Program.” *American Bar Association*. Accessed 20 July 2022. ([online](#))
- <sup>39</sup> Garnham, *Eviction Diversion*
- <sup>40</sup> Parrish, *Best Practices for Eviction Prevention*
- <sup>41</sup> Eisenberg, Deborah Thompson and Noam Ebner, “Disrupting the Eviction Crisis with Conflict Resolution Strategies,” *Mitchell Hamline Law Journal of Public Policy and Practice*. Vol. 41 Issue 3. 2020. ([online](#))
- <sup>42</sup> “Eviction Diversion and Prevention Programs,” *The Network for Public Health Law*. May 2021. ([online](#))
- <sup>43</sup> Ibid.
- <sup>44</sup> “Prevention Programs Funded by the Homelessness Prevention and Rapid Re-Housing Program.” *Department of Housing and Urban Development*. Accessed 20 July 2022. ([online](#))
- <sup>45</sup> NPHL, *Eviction Diversion and Prevention Programs*
- <sup>46</sup> Eisenberg, *Disrupting the Eviction Crisis*
- <sup>47</sup> *Eviction Diversion and Prevention Programs*
- <sup>48</sup> “Eviction Diversion Program in Jackson County, MI,” *Eviction Innovation*. 27 May 2020. ([online](#))
- <sup>49</sup> Ibid.
- <sup>50</sup> “City of Philadelphia’s Eviction Diversion Program,” *Department of Planning and Development: City of Philadelphia*. Accessed 20 July 2022. ([online](#))
- <sup>51</sup> Gym, Helen, et. al. “Philadelphia’s Nationally Acclaimed Eviction Diversion Program is Now Law.” *Philadelphia City Council*. 16 December 2021. ([online](#))
- <sup>52</sup> Department of Planning, *Philadelphia Eviction Diversion Program*
- <sup>53</sup> Gym, *Philadelphia’s Acclaimed Eviction Diversion Program*
- <sup>54</sup> *Philadelphia Eviction Diversion Program*
- <sup>55</sup> Daley, Cynthia Witman, “Achieving Housing Stability with Eviction Diversion Programs: A Guide to Best Practices During COVID and Beyond,” *Regional Housing Legal Services*. November 2020. ([online](#))
- <sup>56</sup> “Eviction Prevention in Syracuse, NY,” *Eviction Innovation*. 26 January 2020. ([online](#))
- <sup>57</sup> Witman, *Achieving Housing Stability*
- <sup>58</sup> Eviction Innovation, *Eviction Prevention in Syracuse*
- <sup>59</sup> “Fairfax County Emergency Rent Assistance Program.” *Fairfax County Virginia*. Accessed 20 July 2020. ([online](#))
- <sup>60</sup> Ibid.
- <sup>61</sup> “Tenant-Landlord” *Fairfax County Consumer Services Division*. 20 July 2020. ([online](#))
- <sup>62</sup> “Northern Virginia Eviction Prevention & Housing Stability Toolkit,” *Northern Virginia Affordable Housing Alliance & Legal Services of Northern Virginia*. 15 December 2020. ([online](#))
- <sup>63</sup> Ibid.
- <sup>64</sup> “Home,” *Community Action Council of Howard County*. Accessed 20 July 2022. ([online](#))
- <sup>65</sup> “COVID-19 Housing Information,” *Howard County Housing & Community Development*. Accessed 20 July 2022. ([online](#))
- <sup>66</sup> “Landlord-Tenant Information,” *Howard County Consumer Protection*. Accessed 20 July 2022. ([online](#))
- <sup>67</sup> National Low Income Housing Coalition, *Maryland’s ‘Right to Counsel.’*
- <sup>68</sup> “Housing & Homeless Services,” *Prince George’s County Social Services*. Accessed 20 July 2022. ([online](#))
- <sup>69</sup> Ibid.
- <sup>70</sup> “Eviction Prevention & Rental Assistance,” *Washington DC Department of Human Services*. Accessed 20 July 2022. ([online](#))
- <sup>71</sup> “ERAP: Frequently Asked Questions,” *Washington DC Department of Human Services*. Accessed 20 July 2022. ([online](#))

---

<sup>72</sup> DC Department of Human Services, *Eviction Prevention*

<sup>73</sup> “Ban on Evictions for Less than \$600 Unpaid Rent in DC,” *Eviction Innovation*. 16 May 2022. ([online](#))

<sup>74</sup> “Landlord & Tenant Mediation,” *District of Columbia Courts*. Accessed 20 July 2022. ([online](#))

<sup>75</sup> *Eviction Diversion and Prevention Programs*

<sup>76</sup> *Evictions in Montgomery County*

<sup>77</sup> Operating Budget, *Landlord-Tenant Mediation*

<sup>78</sup> *Best Practices for Eviction Diversion*

<sup>79</sup> *Philadelphia Eviction Diversion Program*

<sup>80</sup> Eviction Innovation, *Eviction Prevention in Syracuse*

<sup>81</sup> HUD, *Prevention Programs* | Eviction Innovation, *Eviction Diversion Program in Jackson County*

<sup>82</sup> *Philadelphia Eviction Diversion Program*

<sup>83</sup> *Eviction Prevention in Syracuse*

<sup>84</sup> *Best Practices for Eviction Diversion*

<sup>85</sup> Maryland Courts, *Notice*

<sup>86</sup> “Program Description: Prevention,” *Montgomery County Operating Budget*. Accessed 20 July 2022. ([online](#))

<sup>87</sup> *Eviction Diversion*

<sup>88</sup> Maryland Courts, *Notice*