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Testimony regarding Senate Bill 512 before the Maryland Senate Judicial Proceedings Committee to reform Maryland law regarding retaliatory evictions

By Richard Gwynallen, Associate Director

My name is Richard Gwynallen. I am the Associate Director of the Reservoir Hill Improvement Council in Baltimore City. I would like to thank this committee for giving me the opportunity to testify on this very important bill.

At least 60% of Reservoir Hill residents rent. Many of these properties are in deplorable condition. Consequently, Reservoir Hill Improvement Council engages in a lot of code enforcement actions. However the tenants need to be engaged in this process as well. It is many times extremely difficult through our organizing efforts to get tenants to report conditions in their buildings. These tenants relate a real fear of being evicted from their premises if they report substandard conditions.

We all want security in our homes. This bill would give tenants greater security in their own homes by allowing them to report these substandard conditions without fear of retaliation. Tenants have the right to security in their property, feeling safe, secure in the knowledge they have a home, and stable in homes that are in good condition.

Allowing tenants to be fully engaged in the process of community improvement would promote a greater sense of community overall. A well organized effort on the part of tenants to improve conditions of their buildings would increase the tenant participation in the community as a whole. Improved conditions at rental properties would improve the whole neighborhood. Frequently, homeowners are disenchanted with rental property because often the conditions are substandard. Tenants are frequently blamed for these conditions when many times it is the landlord that is responsible for the problems. If this bill is passed, the tenants themselves would have greater freedom to help improve the condition of the properties in which they live.

In our experience with tenant organizing, many times our initial meetings with groups of tenants will be well attended, and every one will be excited about the idea of organizing and being able to improve conditions and the responsiveness of landlords to these conditions. The next meeting will have few tenants in attendance. We often find out that the lack of participation in our follow up meetings is because after having an opportunity to think about the proposition of reporting substandard conditions, many tenants often become afraid that if the landlord was aware that the tenant was involved in activities that led to reporting these conditions the landlord would take steps to evict them from the property.

The concern over retaliation is not strictly limited to income level. While low-income families have the extra worry of whether or not they could afford a move if evicted, more middle class households also worry over the problems of a forced move. There was one tenant recently who would not report the fact that she was without heat because she feared that if she reported this condition she would be the victim of retaliation. Tenant fear of retaliation is very real. This bill would allow us as a community to assist in mobilizing tenants to improve their own conditions, thus improving the neighborhood and making them feel a part of the larger community.

In another case, several tenants of a complex had long-standing mold problems. In the end, only one would put herself on the line to report the problem.

Nor, is the problem strictly one for renters. The condition of a house, whether owner-occupied or not, is of concern to all residents. When Reservoir Hill Improvement Council campaigned for passage of a bill in Baltimore to end the dumping of goods from an eviction in public areas and requiring notice to tenants of the date of eviction, a bill known as the Clean Streets Bill, the campaign had the support of both homeowners and renters; as does this campaign for reform of retaliatory eviction practices.

This issue is not even necessarily one of pitting renters against landlords. In Reservoir Hill, many landlords take their responsibilities very seriously, take good care of their properties, and are very fair with their tenants. One landlord had a fire at his property last year, and is now advocating that other area landlords use security deposits to pay the initial month or two of renter insurance for their tenants to encourage renters to continue carrying such insurance. Another joined her tenants in support of the Baltimore Clean Streets Bill.

Therefore our community is asking that you pass this bill and give tenants the rights that many homeowners enjoy to be secure in their property and exercise their rights as community members to improve substandard housing conditions.