

July 24, 2020

Dear Neighbor,

I'm extraordinarily sorry to hear about your hardship due to the COVID-19 public health emergency. My office is here to help in any way that we can.

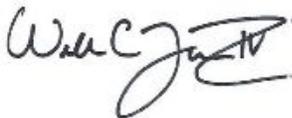
Despite my advocacy for Governor Hogan to extend the eviction moratorium for the duration of the COVID-19 public health emergency, he has refused to do so. The \$30 million in rental assistance from the State, including \$20 million to local governments to distribute is a good start but entirely insufficient. According to a report released by the Senate he total estimated need is closer to \$150 million across the state and we will continue pressing Governor Hogan to provide greater assistance to Marylanders in need.

As eviction proceedings are likely to resume in the next few weeks, I have put together the attached document to help constituents navigate the process. Included, you will find:

1. A summary from the memo produced by Maryland District Courts on July 17th;
2. Answers to frequently asked questions compiled by the Public Justice Center; and
3. Contact information for organizations providing legal and other aid to qualifying residents.

Please do not hesitate to reach out if there is anything else that I, or my office can do to be of assistance.

Best,

A handwritten signature in black ink, appearing to read "Bill Ferguson". The signature is stylized and cursive.

Senator Bill Ferguson

Maryland Eviction Proceedings Information and Resources

Critical Information from Maryland District Courts:

On July 25th, Maryland District Courts will begin to process warrants of restitution for failure to pay rent cases that were pending, or already authorized prior to the March 16th closure of the courts due to the COVID-19 pandemic.

Make sure to know your rights. There are two critical notes:

1. If your landlord has filed a failure to pay rent complaint on, or before July 24th, they must have followed the proper procedure and included a Federal CARES Act Declaration of Compliance. If they have not followed the correct procedure, or your property is covered by the CARES Act, the case will automatically be dismissed.
2. Governor Hogan's original Executive Order states that, "if the tenant can demonstrate to the court, through documentation or other objectively verifiable means, that the tenant suffered a Substantial Loss of Income," due to COVID-19, that evidence is an affirmative defense in failure to pay rent and breach of lease actions. That defense extends until the state of emergency is lifted.
 - o Each judge will determine if the evidence and documentation provided is sufficient to justify that defense.

You should seek legal counsel if you believe the complaint against you is covered by the CARES Act or Governor Hogan's Executive Order. You can learn more about the process Maryland District Courts are using through their [memo released on July 17th](#).

Answers to Frequently Asked Questions from the Public Justice Center:

Q: Can the landlord charge late fees or increase the rent during COVID-19?

A: Some local jurisdictions like Baltimore City, Montgomery County, and Howard County have passed laws banning late fees during the pandemic. Some have also banned rent increases or limited rent increases. Seek legal advice if you are unsure whether your landlord can charge late fees or raise the rent.

Q: What if I can't pay my rent next month due to COVID-19?

A: The Court has also placed on hold all non-emergency court cases and most warrants as described in the answer above. You may want to send a letter or email to your landlord explaining why you cannot pay rent due to a job loss or illness. You may be able to enter into a payment plan. The landlord may agree not to evict you if you stay on the plan. You should get any agreement in writing and keep a copy of any letter or email.

For financial assistance to avoid eviction, please call 211. A number of jurisdictions have rental assistance programs or plan to start those programs soon.

Q: What if my landlord changes the locks or evicts me?

A: If a landlord tries to evict you without a court order and the presence of the Sheriff/Constable or denies you essential services (water, electric, gas), that is illegal. If your landlord attempts to evict you this way, call 911 and ask for police assistance.

If you are illegally evicted, you should seek legal assistance and consider filing a complaint in court against your landlord. Because the courts are only hearing emergency cases, the complaint should be filed as an emergency matter if you are trying to get back into the property.

You should keep track of any expenses, including hotel bills and lost property. In Baltimore City, you may also press criminal charges against the landlord by filing a complaint with the District Court Commissioner: District Court Commissioner, 500 North Calvert St. #200, Baltimore MD 21202, phone: 410-767-5774.

Q: What happens when the pause on evictions is lifted?

A: For new or postponed eviction cases, you will receive a notice about the new trial date. Keep all documents about loss of income or health problems and all communications with your landlord. For eviction orders/warrants that were already issued, the Sheriff will schedule and execute the eviction once the hold on evictions is lifted on July 25 (possibly earlier for certain cases as described above). You may or may not receive additional notice of the new date of a rescheduled eviction.

For additional answers to frequently asked questions, please [visit the Public Justice Center's website here](#).

Organizations Offering Legal and Other Aid:

- Public Justice Center - 410-625-9409
 - Non-subsidized housing, primarily Baltimore City
- Maryland Legal Aid - 1-866-635-2948
- Homeless Persons Representation Project - 410-364-4198 (Monday – Thursday 9:00 am – 2:30 pm, Friday 9:00 am – 1:00 pm)
 - Vouchers and subsidized housing only
- Disability Rights Maryland - 410-727-6352
 - Housing issues related to disability
- Civil Justice Network - 410-706-0174

- Free or reduced fee legal assistance on housing issues statewide
- Baltimore City District Court: Eviction Prevention Program - 410-878-8650
 - Provides eviction prevention services for residents facing eviction
 - Intake and Eligibility: Any city resident facing an eviction with or without children in the household. Eligibility for assistance is determined on a case by case basis due to funding.

Additional Sources of Information:

- [Maryland Department of Housing and Community Development Guidance for Rental Tenants Affected by Covid-19](#)
- [Congressional Research Service Cares Act Eviction Moratorium Information](#)
- [Baltimore City COVID-19 Renter Relief Act](#)
- [Governor Hogan's Executive Order Temporarily Prohibiting Evictions of Tenants Suffering Substantial Loss of Income Due to Covid-19](#)