



Covid-19: Housing and Consumer Issues

May 28, 2020

Updated Information on Eviction Protections for Marylanders

- **Pause to all evictions in Maryland:** Maryland courts have **stayed** all evictions based on an order from the Court of Appeals. This order protects every resident in Maryland, and it applies to any order to remove you from your home, whether for failure to pay rent, lease terminations, etc. A stay is like a pause, meaning evictions will not go forward for the time being, but it does not mean they were cancelled altogether, so you are still responsible for making your rent payment. There is no expiration date on this order, so check in regularly to find out if the order is still in place.
- **No Rent Increases or Late Fees During the Covid-19 Pandemic (Baltimore City Only):** The Baltimore City Council passed an ordinance forbidding landlords from increasing rent or assessing any late fees for the late payment of rent for as long as the Governor's state of Emergency is in effect.
- **Additional protections under the CARES Act:** The CARES Act provides a temporary moratorium on potentially all eviction filings against tenants living at rental properties with federal assistance (Section 8) or federally related financing for 120 days from its passage on March 27, 2020. There is also a 30-day notice requirement, meaning **evictions in covered properties cannot be initiated until August 27, 2020 if they were not given notice prior to March 27, 2020.** If you think you are covered by the CARES Act and you received a lease termination notification prior to March 27, you should consult a housing attorney for further assistance.
- **How do I know if my house is covered by the CARES Act?** The CARES Act protects tenants living in residential property that receive a subsidy from the federal government, or who live at a property secured by a federal loan. If you receive a subsidy from the federal government, you probably know. You would only be responsible for a portion of your rent, and the federal government—typically through a "Section 8" payment from HUD either because of a voucher or direct payment from HUD to the Landlord, but also through organizations like the Department of Veterans Affairs—would pay for the remainder of your rent. This would be stated in your lease. Finding out if your property is subject to a federally backed mortgage or has a subsidy through the Low Income Housing Tax Credit program is more complicated. You can perform a limited title search on www.MDLandRec.net by searching under the property owner's name, and you may be able to determine whether the property has a federal subsidy or federally secured loan. We advise you seek the advice of an attorney for help in making this determination.

Summary of Eviction Protections Currently in Place

Maryland (Court of Appeals), applies to <u>ALL</u> tenants	Federal Government (CARES Act), applies to <u>federally assisted or financed</u> tenants
<ul style="list-style-type: none"> – Court of Appeals order stays all evictions until the order is lifted. There is no expiration date on this order, but it covers every residential dwelling in the state. – Courts are closed until June 8, meaning that Complaints to repossess property cannot be adjudicated until then. 	<ul style="list-style-type: none"> – No evictions may be initiated for HUD subsidized housing until July 27, 2020. – Eviction requires 30-day notice, meaning eviction proceeding cannot be filed until August 27, 2020. Consult with an attorney to find out if you are covered.

Takeaways:

1. **While the Maryland Court of Appeals Order is in place, nobody can be evicted.** It does not matter if you are living in subsidized housing or rental housing backed by a federal mortgage.
2. Even when the Court of Appeals Order is lifted, if you receive a subsidy from the federal government to help pay your rent, or if your house is secured by a federally backed mortgage, you still cannot be evicted until at least July 27, 2020.
3. To determine how you are protected by the CARES Act, seek the help of a housing attorney.



Existing Updates on Housing Issues

- **Pause to all evictions and foreclosures:** As stated above, Maryland courts have **stayed** all evictions. For an in depth analysis of the federal and state regulations protecting Maryland residents from eviction, see above. Additionally, no new foreclosures can be filed, although you are still responsible for mortgage payments. If you are having trouble paying your mortgage, contact a housing counselor with the Maryland HOPE Hotline at 1-877-462-7555.
- **Tax Sale Postponed until July 20, 2020 (Baltimore City Only):** The Tax Sale has been postponed until July 20. This will give homeowners who are behind on their property taxes more time to redeem them. Most other jurisdictions have also postponed tax sales; for a complete list, check Legal Aid's Covid-19 information page.
- **No utilities shut-offs through June 1, 2020:** There can be no shut-offs of water, gas, electric, sewage disposal, phone, or internet through June 1, 2020. Late fees on these utilities have also been suspended until at least June 1. You may call 211 to find out if you are eligible for assistance with existing utility bills. Additionally, BGE is suspending service disconnections, waiving new late payment charges through at least June 1, and working with residents whose service was disconnected prior to March 13 to have service restored. Contact BGE at 800-865-0123 to begin the reconnection process. You can also call 1-800-332-6347 to apply for energy assistance. If you are struggling with your water bill, apply for BH2O online here (<https://www.bmorechildren.com/bh2o>). Baltimore City residents who applied and were approved for unemployment benefits since March 18, 2020 are eligible for Baltimore's Emergency Covid-19 Discount on their water bill and only need to provide a copy of your ID and unemployment benefits award letter with your application. If you are already receiving the BH2O water discount, you do not need to re-apply.
- **Relief for Section 8 and Public Housing Tenants (Baltimore City Only):** Housing Authority of Baltimore City (HABC) indicated that individuals who lost income due to Covid-19 may be eligible for a rent adjustment based on the loss in income. If you are a Section 8 participant and think this applies to you, call (443) 984-2222 or email HCVP.Info@habc.org for more information. Public Housing tenants should contact their management office.
- **Court closures:** Maryland Courts are closed until June 8, 2020, except for emergency proceedings. People can still file complaints and other actions at this time by mail or by delivery to a lock box. Landlords are prohibited during the current eviction moratorium from filing failure to pay rent cases for properties protected under the CARES Act.

Other Updates for Maryland Consumers

- **CARES Act checks:** Americans making less than a certain amount will receive payments from the IRS. You must have filed either your 2018 or 2019 tax return to receive payment, unless you receive SSI or Social Security disability or retirement benefits, in which case you do not need to do anything to receive the payment. If you do not normally file a return you may have to file to claim stimulus money for a dependent by filing or using the IRS's Non-Filer tool at <https://www.irs.gov/coronavirus/economic-impact-payments>. The IRS offers free filing of tax returns at <https://www.irs.gov/filing/>. CASH Campaign of Maryland also assists Marylanders with their tax returns.
- **Repossessions and Debt Collection:** Repossessions are also on hold during the emergency. State debt collection activity of CCU (Central Collections Unit) has been suspended until further notice by the Governor.
- **Unemployment Assistance:** Marylanders can file for unemployment insurance by telephone through a claim center M-F from 8am to 3pm in English or Spanish at (410) 949-0022, or online 24 hours a day 7 days per week at www.mdunemployment.com. Just be prepared for longer than normal wait times.
- **Price gouging:** Price gouging (excessively increasing prices for essential goods like food, water, or hand sanitizer) is illegal. If you see this, contact Maryland's consumer hotline at 410-528-8662 or email consumer@oag.state.md.us.