

Stout's Independent Evaluation of Maryland's Access to Counsel in Evictions (ACE) Program

For the Period July 1, 2023 through June 30, 2024

Prepared for:
Maryland Legal Services Corporation (MLSC)

December 20, 2024

Executive Summary

- From July 1, 2023 through June 30, 2024, ACE attorneys closed 9,196 ACE cases. In these 9,196 cases, there were an estimated 21,000 people impacted, of which an estimated 9,100 were children.
- Of the 9,196 cases closed from July 1, 2023 through June 30, 2024, approximately 63% were same day intake cases, and approximately 37% were pre-trial intake cases.
- Approximately 77% of clients who had their case closed between July 1, 2023 and June 30, 2024 received extensive services, and approximately 23% of clients received advice or counsel.
- MLSC's and the Grantees' dedication to comprehensive data collection has been critical for developing a data-oriented approach to the ACE evaluation.
- From July 1, 2023 through June 30, 2024, ACE attorneys assisted clients in achieving approximately 84% of their case goals or another resolution that indicated the likelihood of the client experiencing disruptive displacement was reduced.
- Of the 87% of clients who indicated they wanted to stay in their home, approximately 88% were able to do so at the conclusion of their case.
- Stout preliminarily estimates that for every dollar spent on ACE to date, Maryland has likely realized at least \$3.04 in potential fiscal impacts and economic benefits (consistent with Stout's findings in other jurisdictions). The total estimated fiscal impacts and economic benefits from July 1, 2023 through June 30, 2024 is \$46.7 million.
- ACE clients disproportionately identified as female and Black or African American compared to Maryland's overall population. Approximately 72% of clients identified as female, and approximately 86% of ACE clients identified as non-white.
- Approximately 33% of clients indicated they or someone in their household had a disability.
- Approximately 36% of clients indicated they did not know where they would go if they were forced to move. Approximately 12% of clients (overall) indicated that if they were forced to move, they would enter emergency shelter, and approximately 9% indicated they would live on the street or unsheltered.
- Approximately 87% of landlords were represented by an attorney or an agent.
- In failure to pay rent cases, approximately 63% of clients indicated they believed they owed the number of months of back rent that the landlord alleged they owed; approximately 37% of clients indicated they did not owe the number of months of back rent the landlord alleged they owed. Of the 37% of clients who indicated they

did not owe the number of months of back rent the landlord alleged they owed, approximately 49% of clients indicated they were current on rent.

- Throughout the evaluation period, the availability of rent assistance varied by jurisdiction. As of early November 2024, information published by the Department of Housing and Community Development indicated applications for rent assistance were being accepted in the following counties: Carroll, Frederick, Garrett, Kent, Prince George’s (in limited circumstances), and Talbot. Stakeholders in Maryland (consistent with the feedback Stout has received throughout the country) have underscored the importance of rent assistance in resolving failure to pay rent cases efficiently and effectively.
- Stout conducted significant qualitative research by engaging with, listening to, and learning from stakeholders across Maryland, including tenants, landlords, landlords’ counsel/agents, and property managers, representatives from the courts, government agencies, and community-based organizations. In September 2023, Stout observed (in-person) failure to pay rent proceedings in Baltimore City, Frederick County, and Caroline County as well as rent escrow proceedings in Baltimore City. MLSC and Stout also convened an in-person meeting with Grantee staff.

Introduction

In 2021, the Maryland General Assembly passed legislation establishing the Access to Counsel in Evictions (ACE) Program, which is administered by Maryland Legal Services Corporation (MLSC). Tenants with a household income at or below 50% of the state median income are eligible for ACE. Tenants who have received a summons and complaint can contact 2-1-1 (i.e., Coordinated Intake) or apply for legal services online. If a tenant is eligible for ACE, representatives from Coordinated Intake will electronically refer the tenant to the legal services provider in their area.¹ Tenants can also contact a legal services provider directly for an eligibility screening and intake. The legal services organizations receiving ACE grants for providing direct legal services are: CASA, Community Legal Services, Disability Rights Maryland, Harford County Bar Foundation, Homeless Persons Representation Project, Maryland Legal Aid, Public Justice Center, Pro Bono Resource Center of Maryland, Shore Legal Access, and University of Maryland School of Law (collectively referred to as “Grantees” herein).

ACE client intake and representation can occur same day or pre-trial. Throughout Maryland, Grantees are available at court and can provide same day representation to tenants who appear for their hearing and are ACE-eligible. Pre-trial intake and

¹ Coordinated Intake was “soft launched” in Baltimore City in May 2023 with full implementation in October 2023 in Baltimore City. As of May 2024, Coordinated Intake has been available statewide.

representation is when an ACE client is connected to a Grantee before their hearing. Stout received feedback from Grantees that certain of them are comfortable providing representation and zealous advocacy for ACE clients the same day as their hearing. Many have indicated that being connected with ACE clients as early in the post-filing eviction process as possible (i.e., pre-trial) creates an opportunity to avoid a hearing, which can be beneficial to the tenant and the rental property owner.

In May 2022, Stout was engaged as the Independent Evaluator of ACE. Stout has interacted with MLSC and the Grantees over the past 2 years through virtual meetings to develop data collection strategies and methods, review data metrics and analyses, and discuss implementation planning and strategy. Stout also conducted in-person court observations² and meetings with Grantee staff in September 2023.

Since the beginning of its independent evaluation, Stout has developed more than 100 analyses (with variations through filters and selections) in a data visualization platform used by MLSC, the Grantees, and Stout to monitor key performance metrics and evaluate the impact of ACE. The data visualization platform, in combination with qualitative feedback from MLSC, the Grantees, ACE clients, landlords' counsel / agents, and other local and statewide stakeholders, has enabled an iterative evaluation – one that is completed in parallel to implementation rather than only after implementation.

Stout's evaluation methodology uses robust analysis of available data and information, while also appreciating the limitations of such data, the opportunities for continued improvement and the challenges that can arise in the analysis of intricate, complicated, and intertwined micro- and macro-economic social and capitalist systems. The data collected is inherently limited and imperfect. These limitations and imperfections arise from resource constraints at each organization to collect information, the systems used to collect data, the nuanced and complex lived experiences of Maryland renter households with low incomes, Maryland's unique eviction process and ecosystem³, the experiences and practices of landlords of various sizes, and the adversarial nature of the United States civil legal system (which includes eviction cases).

Further, Stout's methodology is not a randomized control trial and does not use a designed control group (which would not receive services) to draw comparisons. ACE is designed to assist Maryland renter households experiencing a high-stakes legal proceeding. It is therefore essential that these services are provided due to the circumstances faced by the parties, the complexity of the process, and potential consequences for the individuals involved and their communities. Thus, Stout uses the

² Stout observed Failure to Pay Rent proceedings in Baltimore City, Frederick County, and Caroline County as well as Rent Escrow proceedings in Baltimore City.

³ The low filing fee of \$15 - \$25 for Failure to Pay Rent cases and the right to redeem.

best available information and feedback from a wide range of stakeholders to provide analyses and assessments of ACE. This evaluation technique creates an ongoing dialogue about the impact of ACE and opportunities for continued refinement of the data collected, analyses completed, and insights developed.

Qualitative Evaluation Findings

Findings from the Schaefer Center for Public Policy at the University of Baltimore

MLSC engaged the Schaefer Center for Public Policy (Schaefer Center) at the University of Baltimore to conduct focus groups of ACE clients to understand clients' experiences with ACE. After challenges recruiting focus group participants, Schaefer Center researchers developed a survey to be administered in-person at 5 courthouses across the state. Key findings from the Schaefer Center's analysis of the survey results (44 responses) include:

- Approximately 80% (35 out of 44) of clients heard about ACE at the courthouse.⁴
- Approximately 45% (20 out of 44) of clients suggested connecting with social workers and case managers as a method for connecting with tenants who need representation.
- Approximately 66% (29 out of 44) of clients indicated they waited until the day of their hearing to seek representation.
- Approximately 66% (29 out of 44) of clients either "strongly agreed" (51%) or "agreed" (15%) that the outcome of their case was better with assistance from ACE than what they would have achieved without a lawyer.

One-on-One Tenant Interviews

To supplement the Schaefer Center's survey findings, Stout conducted qualitative research through one-on-one tenant interviews. Stout spoke with 3 tenants who were represented by ACE attorneys to learn about their experiences with ACE. The tenants shared the circumstances of their cases and the value of being represented. Below are select quotes from the interviews.

- "I think it's better to have more help because I wouldn't know what to say. I have bipolar and being able to have someone else communicate for me was very helpful." – Client A

⁴ Stout understands there are 5 primary ways in which the availability of ACE is communicated to Maryland tenants: (1) outreach and education from community-based organizations (i.e., word of mouth), which MLSC is funding separate from ACE legal services; (2) the 10-day notice, which includes information about ACE; (3) signage and informational videos at court; (4) a pamphlet / flyer given to tenants by sheriffs or constables when serving process (i.e., printed materials); and (5) by calling 2-1-1 for assistance with another issue.

- “People don’t understand the system. Every tenant should have a lawyer.” – Client B
- “I couldn’t even call it a home because everything was collapsing in the apartment. I had an escrow account and was making payments to the court until the landlord fixed the apartment. [The ACE attorney] supported me throughout the process. She explained to me in detail about the process. Finally, the landlord fixed the bad conditions, and I don’t think he would have without her.” – Client C

Statewide Stakeholder Engagement

Throughout 2024, Stout engaged with a variety of Maryland stakeholders with experience and expertise interacting with the rental housing / eviction ecosystem. The purpose of these meetings was to learn from local stakeholders who have different perspectives and experiences with the eviction process or who have observed the impact of evictions on Maryland residents and landlords. Stout met with more than a dozen⁵ stakeholders who shared:

- “Eviction causes homelessness. We certainly see that. It exacerbates every kind of health condition that we see.”
- “I support [ACE] because there are definitely landlords doing illegal things to evict their tenants. We can help with relocation, but no one should have to go through the trauma of that.”
- “Rental assistance stopped a lot of unnecessary pain for folks.”
- “You can put as much money into eviction prevention, but the quality of housing and the rental market in Maryland are poor.”

Additionally, these stakeholders discussed the importance of assistance for tenants both during and before the eviction process and the value of complementary programs, such as sustainable rent assistance and social workers / case managers. Social services providers and non-profit organizations shared examples of responses and consequences that can be required and experienced after a household is displaced, which included emergency shelter, stays in hotels or motels or living unsheltered, physical and mental health care, and the perpetuation of generational poverty.

⁵ Access to Counsel in Evictions Task Force, Arundel Community Development Services, Bernstein Management, CASA, City of Baltimore, Civil Justice, Community Legal Services, Disability Rights Maryland, Harford County Bar Foundation, Health Care for the Homeless, Homeless Persons Representation Project, Maryland Center for Legal Assistance, Maryland Department of Housing and Community Development, Maryland Judiciary, Maryland Legal Aid, Maryland Pro Bono Resource Center, Public Justice Center, Shore Legal Access, United Way of Central Maryland, University of Maryland School of Law.

Landlord, Landlord Counsel / Agent, and Property Manager Engagement

In each of Stout’s independent evaluations, it seeks to engage with and solicit feedback from landlords, their counsel / agents, and property managers within the jurisdiction. Stout works to incorporate their perspectives into the evaluation and considers their feedback when recommending potential refinements to eviction right / access to counsel programs. During the second quarter of 2024, Grantees connected Stout with several attorneys / agents who represent landlords throughout Maryland to learn from their experiences with ACE. Feedback about ACE from landlords’ attorneys / agents (consistent with Stout’s engagement with landlords and their attorneys / agents throughout the country) centered on several key themes:

- There is a role for and value in having tenant representation in certain situations and often results in more efficient and effective case resolutions.
 - “We try to work with tenants as much as we can. I’m totally okay if someone wants an attorney.”
 - “There have been plenty of times where having counsel is extremely productive in brokering resolutions that are favorable to everyone.”
 - “Having more tenant attorneys has resulted in better practices at [public housing authorities] across the state. They now know what’s required of them in terms of notices and evidence, and they are much better organized than before ACE.”
- While ACE can be helpful for tenants who are in eviction proceedings, there is a need for other complementary programs and a recognition of the impact of eviction on low-income households.
 - “For so many cases though, it’s failure to pay rent, and the only question is whether there’s payment or not. You also need social services and rent assistance.”
 - “None of us are blind to the sensitivity of eviction filings. We understand the trauma and the generational consequences.”
- There are intertwined micro- and macro-economic, social, and capitalist systems and dynamics within the rental housing market that impact both tenants and landlords.
 - “The system only operates if there’s an exchange. I’m not interested in standing up for the slumlords, but for the majority of housing, especially in large complexes, there’s a social contract where I maintain the property and you pay so that I can do that.”
 - “We’re not in the business of evicting people. We’re an affordable housing provider, but the way we stay affordable is for people to pay their rent.”

Two landlord counsel / agents shared frustrations related to same-day representation. They indicated that they had several experiences where they recommended that a tenant speak with an ACE attorney about the agreement they presented. They shared that the tenant would speak with an ACE attorney, and the ACE attorney would tell them that they were unable to assist because they did not know anything about the case. Instead of assisting the tenant the same day, the ACE attorneys would seek a 1-2 week continuance.

Quantitative Evaluation Findings

During the fourth quarter of 2022, Stout provided MLSC with an extensive list of potential data elements for Grantees to collect that would enable a robust evaluation. Stout and MLSC met bi-weekly to refine the list of data elements and discuss which were already being collected, could be easily collected, and would be challenging to collect. Given the limited time ACE attorneys would have for data collection during same day representation, MLSC developed a streamlined list of impactful data elements to be collected when clients are represented same day. Data collection is more extensive for clients who connect with an ACE attorney pre-trial.

After developing a refined list of data elements to be collected during same day representation and pre-trial intake, MLSC and Stout met with Grantees throughout the first and second quarter of 2023 to solicit their feedback and incorporate it into the refined list of data elements. In April 2023, the list of data elements for same day representation and pre-trial intake were finalized, and the Grantees began incorporating the data elements into their case management systems for collection. Stout received the first data exports in August 2023.

MLSC's and the Grantees' dedication to data collection has been critical for developing a data-oriented approach to the ACE evaluation. The data collected during the evaluation has enabled several factors to be analyzed in combination, which can create deeper, more impactful insights. Using the data collected by Grantees, Stout built a dynamic data visualization platform for use by MLSC, the Grantees, and Stout that presents ACE data in a user-friendly format. Stout and MLSC met with Grantees throughout 2024 to review the data visualizations and seek their feedback on the data shown in the platform.

It is important to appreciate that client circumstances and case characteristics often vary. Because of this variation, not all data elements are applicable to all ACE clients and therefore not asked to all ACE clients. While the goal is to ask all ACE clients all questions applicable to their circumstance or case, ACE attorneys exercise discretion during the interview process. There may be questions not asked based on a client's lived experiences, comfort level with certain topics, and/or having to recount traumatic experiences.

The analyses in this section are for the period of expanded data collection and include cases closed between July 1, 2023 and June 30, 2024. Analyses of sub-populations or client segments (e.g., same day representation, pre-trial intake, clients receiving extensive services, etc.) are noted where applicable. Stout analyzed the results of key interview questions and organized them by category: (1) client goals⁶, goals achieved, and case resolutions; (2) total cases closed, people assisted, and household composition; (3) client characteristics; (4) housing characteristics; (5) whether clients want to stay or move; (6) where clients would go if they had to move; and (6) case characteristics.

Additionally, in every jurisdiction in which Stout is conducting eviction right / access to counsel evaluations, it is receiving and analyzing eviction filing data collected and maintained by the court. The lack of detailed electronic structured data on eviction filings in Maryland makes it challenging to understand and evaluate eviction filing trends, rates of legal representation, and differences in eviction case dispositions as a result of ACE.

Client Goals, Goals Achieved, and Case Resolutions

A primary component of Stout's evaluation is assessing whether client goals were met for clients who completed the pre-trial intake process and received extensive services. For cases receiving extensive services that were closed between July 1, 2023 and June 30, 2024, the Grantees assisted clients in achieving approximately 84% of their case goals or another resolution⁷ that indicated the likelihood of the client experiencing disruptive displacement was reduced.⁸ It is important to appreciate that in circumstances where a client may not be able to achieve their stated goal, ACE attorneys often assist clients in securing other case resolutions that minimize the likelihood of the client experiencing disruptive displacement.

The table below shows the 3 most common goals, with the frequency of the goal being achieved, the number of clients with the goal, and the percentage of clients with that goal.⁹

⁶ In fiscal year 2024 (July 1, 2023 through June 30, 2023), client goals and whether they were achieved were only recorded for pre-trial intake cases. Client goals and whether they were achieved are collected for clients represented same day starting July 1, 2024.

⁷ Stout calculated the 84% metric by averaging the frequency with which each goal in the table below was achieved (approximately 76%, 89%, 93%) and the percentage of clients who stayed in their home (approximately 75%) regardless of whether they wanted to stay or move.

⁸ The goal achievement rate observed in Maryland is consistent with the goal achievement rate Stout has observed in its independent evaluations of eviction right / access to counsel programs in Cleveland, Connecticut, Davidson County (Nashville), Milwaukee, and Oklahoma and Tulsa Counties.

⁹ Clients can have more than 1 goal in their case.

Client Goal	# of ACE Clients with Goal	% of ACE Clients with Goal	% Frequency Goal was Achieved
Prevent eviction judgment	1,274	65%	76%
Prevent involuntary move	932	48%	89%
Secure time to move	428	22%	93%

Furthermore, of the 87% of clients who indicated they wanted to stay in their home, approximately 88% were able to do so at the conclusion of their case. It is important to note clients are asked if they want to stay in their home early in the intake/interview process, often prior to an ACE attorney having sufficient information regarding the case and client circumstances to determine if staying in the home is reasonably possible. For fiscal year 2026 (beginning July 1, 2025), Stout and MLSC will consider refinements to data collection to include “stay in my home” as a client goal.

Clients who had lived in their homes for longer periods prior to the eviction filing were more likely to achieve the goal(s) they identified than clients who had shorter tenancy tenures prior to the eviction filing. The table below shows the number and percentage of clients who achieved their goal(s) based on how long they had been living in their home prior to the eviction filing. The duration of tenancy may be an indicator of other factors contributing to housing stability. Short durations in current housing prior to eviction filing may indicate prior instability that has not been resolved. Such observations can assist in refinements to program design and resource connection for tenants who indicate a shorter period of residency during intake.

Length of Residency	# of ACE Clients	% of ACE Clients with Goals Achieved
Less than 1 year to 2 years	1,730	78%
3 to 5 years	748	86%
6 to 9 years	281	87%
10 or more years	285	89%

In addition to collecting data regarding client goals and whether the goals were achieved, Grantees also collected case resolution data as required by MLSC. The 5 most frequent case resolutions for clients receiving extensive services were¹⁰:

- Delayed eviction providing time to seek alternative housing (2,681 cases; 38%)
- Obtained other benefit for tenant (2,308 cases; 33%)
- Prevented eviction from other housing (2,154 cases; 31%)

¹⁰ Clients can have more than 1 resolution in their case.

- Obtained representation in housing defensive litigation (1,776 cases; 25%)
- Prevented eviction from public or subsidized housing (517 cases; 7%)

Stout observed no significant differences in the frequency of goals achieved or other case resolutions secured when considering client demographic factors.

Total Cases Closed, People Assisted, and Household Composition

From July 1, 2023 through June 30, 2024, ACE attorneys closed 9,196 ACE cases. In these 9,196 cases, there were an estimated 21,000 people impacted, of which an estimated 9,100 were children. Approximately 60% of clients had more than 1 person living in the household (Figure 1), and approximately 51% of clients had at least 1 child living in the household Figure (2).

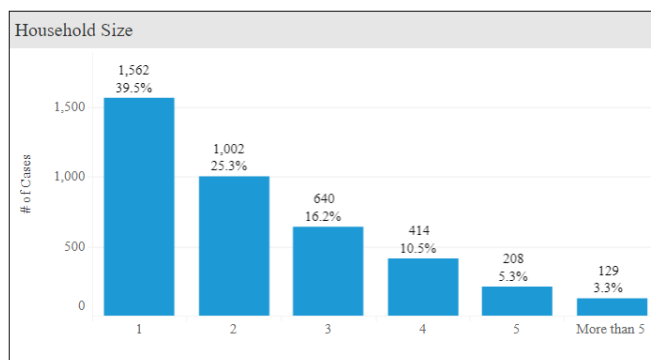


Figure 1

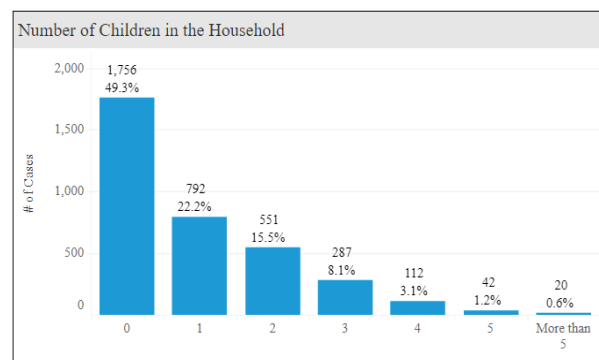


Figure 2

Data collected by eviction defense providers in Chicago, Connecticut, Milwaukee, and Oklahoma analyzed by Stout indicates that between 39% and 73% of households receiving assistance from eviction right / access to counsel programs had at least 1 child living in the household. Approximately 27% of clients without children in the household had multiple adults living in the household, and approximately 50% of these households had at least 1 individual with a mental or physical disability.

Client Characteristics – Gender, Race / Ethnicity, Age, Disability, and Annual Household Income

Grantees collected a variety of data elements that assist in understanding whether and to what extent there may be disproportionate impacts experienced by ACE clients. For example, significant research demonstrates the disproportionate frequency with which single, Black or African American, female-headed households experience eviction. Stout’s evaluation incorporates gender, race / ethnicity, age, disability status, household income, and other data elements as factors across analyses to ensure areas of equity and disparate impact are identified.

Approximately 72% of clients identified as female, approximately 27% of clients identified as male, and less than 1% identified with a gender other than male or female

(Figure 3). Clients who identified as female were more likely to have at least 1 child in the household (56%) compared to clients who identified as male (35%).

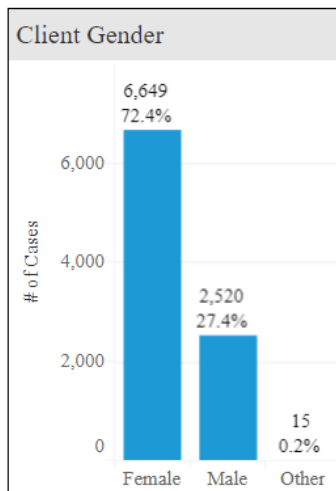


Figure 3

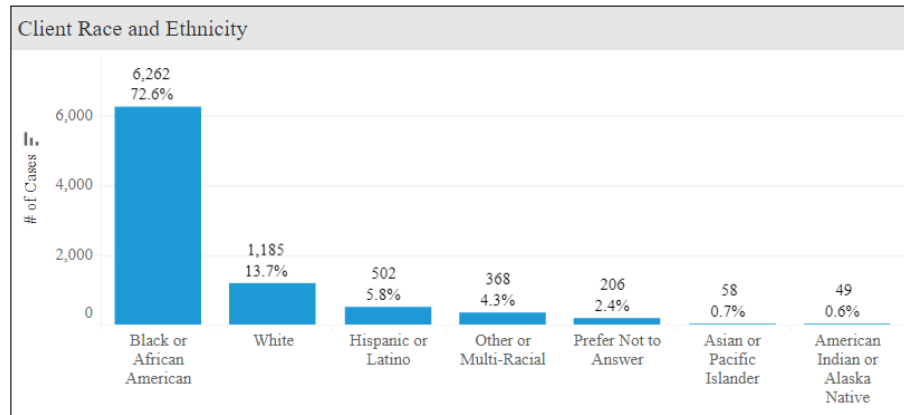


Figure 4

Approximately 73% of clients identified as Black or African American, approximately 14% identified as White, approximately 6% identified as Hispanic or Latino, approximately 4% identified as Other or Multi-Racial, approximately 2% preferred not to answer, and less than 1% identified as Asian or Pacific Islander and American Indian or Alaskan Native (individually) (Figure 4). Additionally, approximately 55% of clients identified as female and Black or African American compared to approximately 16% of Maryland’s population identifying as female and Black or African American. The table below compares the race / ethnicity of ACE clients to Maryland’s overall population.

Race / Ethnicity	ACE Clients	Maryland’s Population ¹¹
Black or African American	73%	31%
White	14%	48%
Hispanic or Latino	6%	11%
Other or Multi-Racial	4%	3%
Asian or Pacific Islander	<1%	7%
American Indian or Alaska Native	<1%	<1%

¹¹ <https://business.maryland.gov/data/demographics>.

Approximately 5% of clients were between the ages of 18 and 24, approximately 26% were between the ages of 25 and 34, approximately 37% were between the ages of 35 and 49, approximately 24% were between 50 and 64, and approximately 8% were older than 65 (Figure 5). Clients over 65 were also more likely to live alone (67%) compared to clients under 65 (37%).

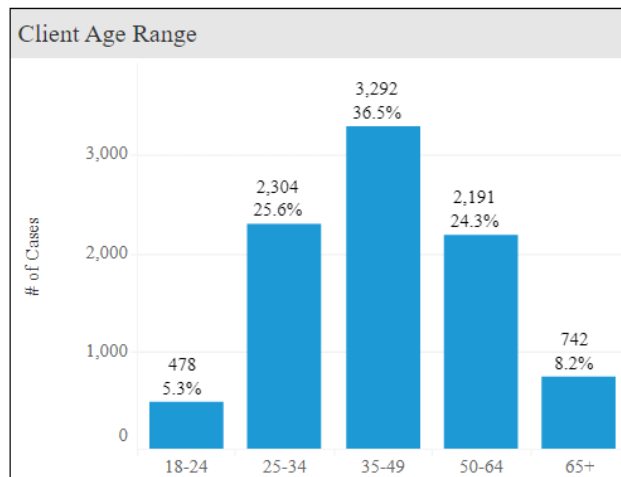


Figure 5

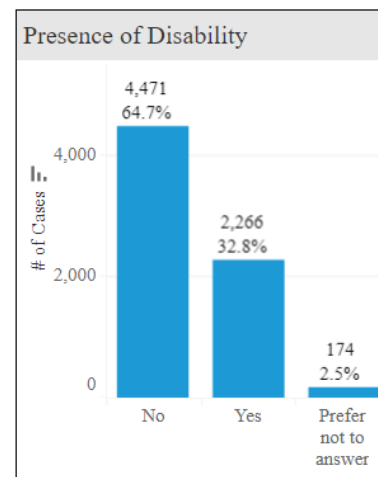


Figure 6

Approximately 33% of clients indicated that they or someone in their household had a disability (Figure 6). According to data from the United States Census Bureau, approximately 12% of Maryland residents have a disability.¹² Data collected by eviction defense providers in Cleveland, Connecticut, Davidson County (Nashville), Milwaukee, and Oklahoma analyzed by Stout indicates that between 35% and 50% of eviction right to counsel / access to counsel clients communicated that they or someone in their household had a disability. ACE clients over age 65 were more likely to indicate that they or someone in their household had a disability (52%) compared to clients under age 65 (31%).

Figure 7 shows the distribution of clients' annual household income. Approximately 69% of clients had annual household incomes between \$10,000 and \$50,000. Clients who reported no household income were more likely to live alone (53%) compared to clients who reported having household income (37%). The presence of disability in the household does not appear to correlate with the household having no income. Of clients reporting no household income, approximately 27% indicate they or someone in their household has a disability compared to approximately 33% of all clients.

¹² United States Census Bureau, American Community Survey 1-Year Estimates. Table S1810.

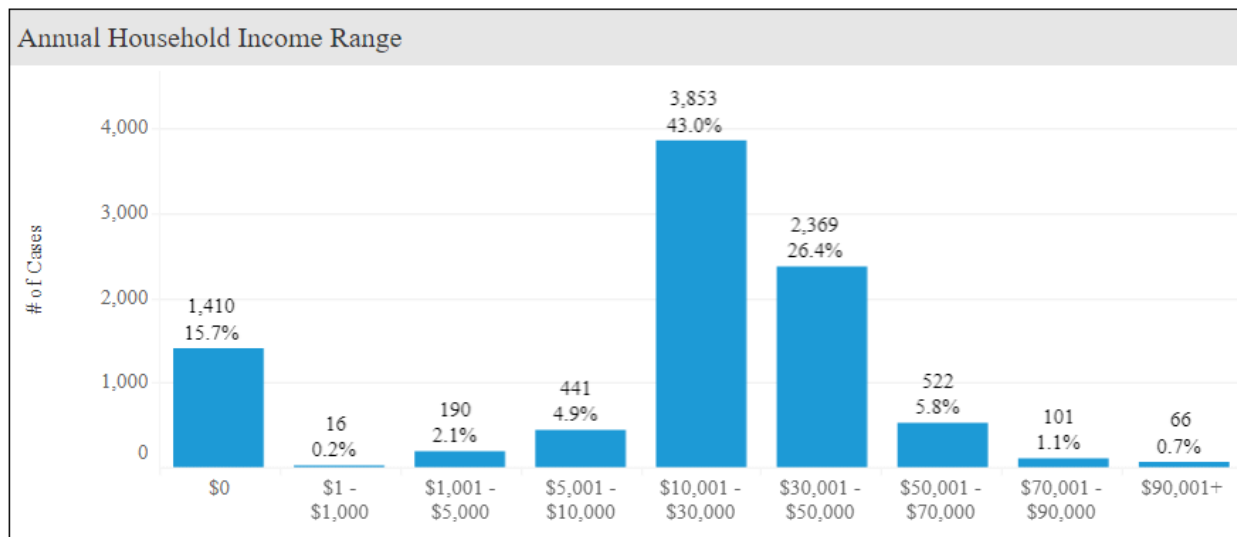


Figure 7

Housing Characteristics – Type of Housing and Length of Residency

Approximately 69% of clients lived in private market housing, and approximately 31% of clients lived in public or subsidized housing or received a voucher. Clients who lived in Baltimore City were more likely to live in public or subsidized housing or received a voucher (45%) compared to clients who lived outside of Baltimore City (27%). Clients who lived in public or subsidized housing or received a voucher were more likely to disagree with the landlord on the number of months of rent owed.¹³ Clients living in public or subsidized housing or receiving a voucher believed they owed a different number of months of rent than what the landlord alleged they owed in approximately 56% of cases compared to approximately 30% of cases where the client lived in private market housing. This difference may reflect issues with rent recertification¹⁴ or changes in household incomes where the portion of rent that the tenant is responsible for paying may not be updated timely.

Approximately 20% of clients lived in their home for less than a year, approximately 36% of clients lived in their home for between 1 and 2 years, approximately 26% lived in their home for between 3 and 5 years, approximately 10% lived in their home for between 6 and 9 years, and approximately 9% lived in their home for more than 10 years (Figure 8). Clients living in public or subsidized housing or receiving a voucher were more likely to have lived in their home for longer (Figure 9) compared to clients living in private market

¹³ See pages 18-19 for analyses related to the number of months of back rent the rental property owner alleged the client owed compared to the number of months the client believed they owed.

¹⁴ Rent recertification is the process for determining if a tenant still qualifies for assistance and adjusting rent based on changes in income or household composition.

housing (Figure 10). Clients who lived in their home for more than 5 years were more likely to owe 6 or more months in rent (33%) compared to clients who lived in their home for 5 years or less (21%).

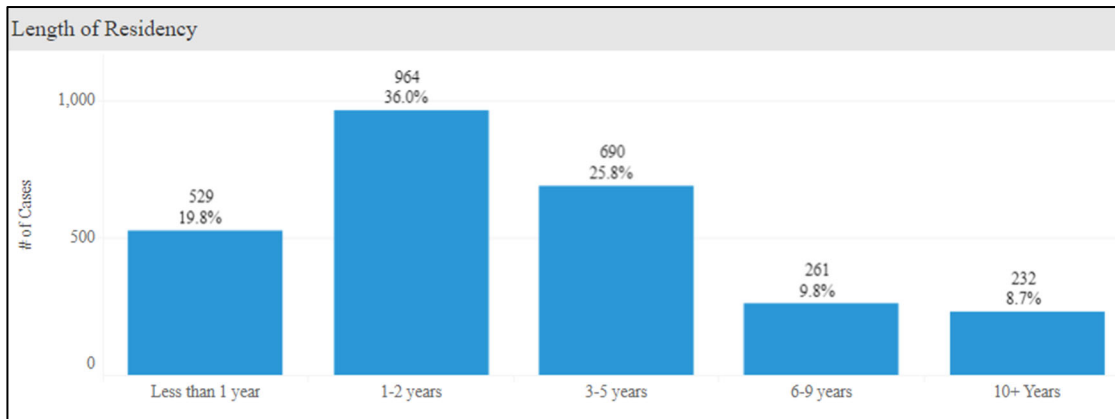


Figure 8

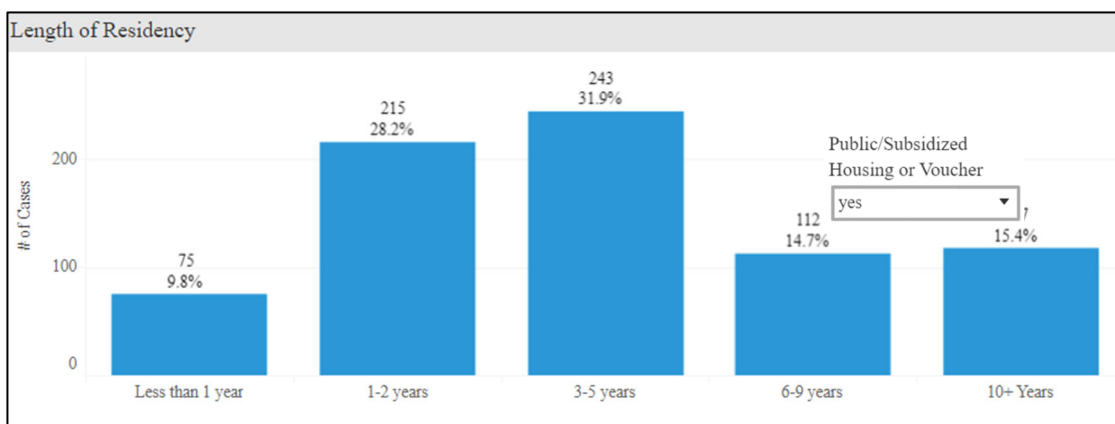


Figure 9

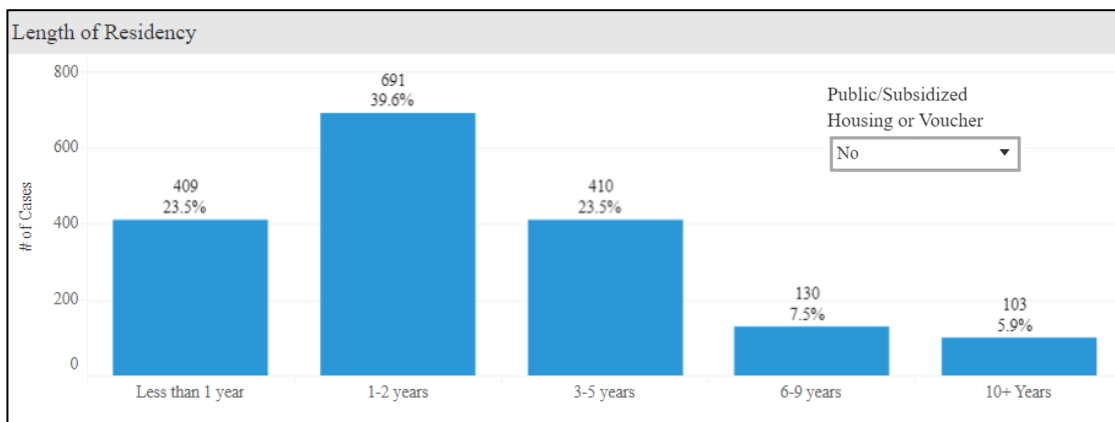


Figure 10

Whether Clients Want to Stay or Move

Approximately 87% of clients indicated that they wanted to stay in their home, and approximately 13% indicated they did not want to stay in their home (Figure 11). Of clients who wanted to stay in their home, approximately 88% were able to stay in their home at the conclusion of their case (Figure 12).¹⁵ Of clients who did not want to stay in their home, approximately 61% moved at the conclusion of their case.

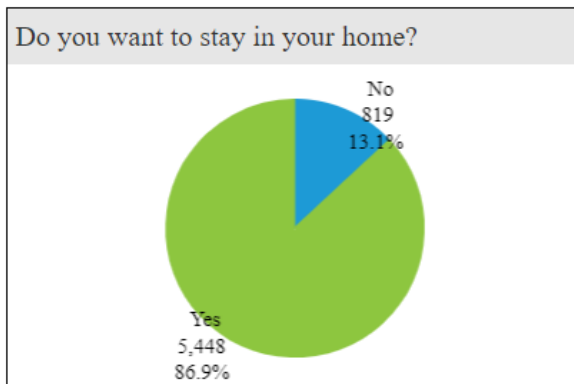


Figure 11

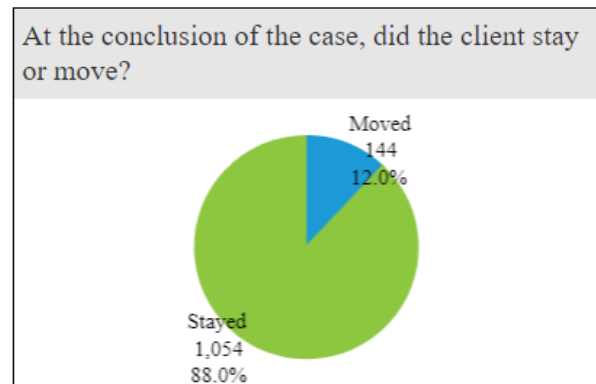


Figure 12

Data collected by eviction defense providers in Cleveland, Connecticut, and Oklahoma indicates that approximately 60% to 80% of eviction right / access to counsel clients want to stay in their home in those jurisdictions. Attorneys in Maryland and throughout the country have shared that the primary reason for clients wanting to stay in their home – often despite the presence of defective conditions and a strained relationship with the landlord – is the lack of alternative safe and affordable housing options.

When clients want to stay in their home, ACE attorneys can help clients achieve this goal by negotiating with rental property owners or their counsel / agents about terms for paying back rent owed and / or securing rent assistance. When clients do not want to stay in their home, ACE attorneys can assist clients in their negotiation with landlords or their counsel / agents to resolve cases efficiently and effectively, help clients understand their rights and the legal process, and secure time for clients to move enabling them to find alternative housing and minimizing disruption to their lives. ACE attorneys can also serve as an important connector to other housing services (e.g., relocation services and / or moving assistance).

¹⁵ This metric reflects the percentage of clients who were able to stay in their home at the conclusion of the legal case and does not necessarily indicate that the client was ultimately able to stay in their home.

Where Clients Would Go If They Had to Move

Approximately 36% of clients were uncertain about where they would go if they had to move. ACE attorneys indicated that clients who answered with this response likely do not have anywhere to go or have not yet considered where they could go if they had to move. Approximately 14% of clients indicated they would move to another apartment, approximately 12% would enter emergency shelter, approximately 12% would move in with friends or family in Maryland, approximately 10% indicated other plans, approximately 9% would live on the street or unsheltered, approximately 4% would stay in hotel or motel, and approximately 3% would move in with friends or family outside Maryland (Figure 13).

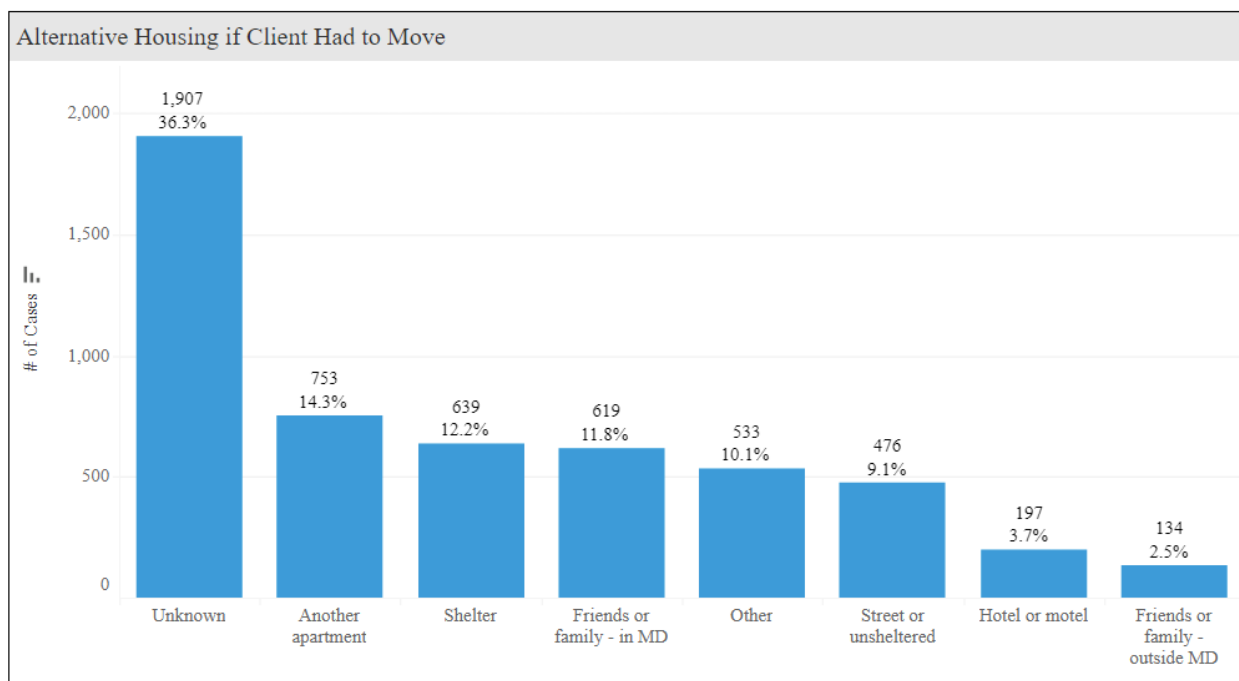


Figure 13

At least 27% of clients who wanted to stay in their home indicated they would experience homelessness (e.g., entering an emergency shelter, experiencing unsheltered homelessness, or moving to a hotel or motel) if they had to move compared to approximately 16% of clients who did not want to stay in their home. Based on feedback received from ACE attorneys and eviction right to counsel / access to counsel attorneys throughout the country, it would be reasonable to expect that a portion of clients who indicated they did not know where they would go would experience homelessness.

Case Characteristics – Intake Type, Case Type, Level of Service, Plaintiff Representation, and Months of Back Rent Owed

As previously described, ACE clients are connected to ACE attorneys for intake either on the same day of their hearing or before the day of the hearing (pre-trial intake). Because Grantees are able to spend more time with ACE clients during a pre-trial intake, the pre-trial intake questions are more extensive than the same-day intake questions. Of the 9,196 cases closed from July 1, 2023 through June 30, 2024, approximately 63% were same day intake cases, and approximately 37% were pre-trial intake cases (Figure 14).

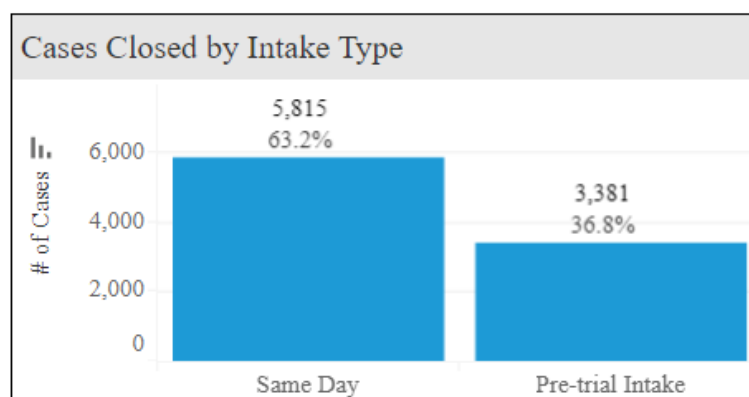


Figure 14

Intake type varied significantly based on the type of housing in which the client lived. The table below shows the percentage of closed case by jurisdiction and intake type for the 5 counties with the highest number of closed cases.

Jurisdiction	% of Same Day Intakes	% of Pre-trial Intakes
Prince George’s County	50%	50%
Baltimore City	53%	47%
Baltimore County	86%	14%
Anne Arundel County	70%	30%
Montgomery County	61%	39%

Approximately 87% of clients were in eviction proceedings for failure to pay rent. The remaining approximately 13% of clients were in eviction proceedings for holdover (6%), other¹⁶ (4%), breach of lease (3%), and subsidy termination (1%).

¹⁶ Includes wrongful detainer, constructive eviction, or affirmative rent escrow (which, although not covered by the ACE statute, is covered by Baltimore City’s right to counsel ordinance).

Approximately 93% of same day intake cases were for failure to pay rent compared to approximately 76% of pre-trial intake cases, which may suggest that tenants are less likely to proactively seek legal representation when they perceive their case to be less complex. The table below shows the type of eviction case by intake type.

Type of Eviction Case	Same Day Intake	Pre-trial Intake
Failure to Pay Rent	94%	76%
Holdover	3%	10%
Breach of Lease	1%	6%
Other	1%	7%
Subsidy Termination	<1%	2%

Approximately 77% of clients who had their case closed between July 1, 2023 and June 30, 2024 received extensive services, and approximately 23% of clients received advice or counsel. Approximately 84% of clients who completed same day intake received extensive services compared to approximately 64% of clients who completed pre-trial intake.

Based on detailed data integrity reviews, Stout and MLSC have identified opportunities for refining data collection to understand more granularly the level of service clients are receiving and the circumstances in which they are receiving what level of service. MLSC has sought to understand the reason(s) for clients receiving advice or counsel (e.g., capacity constraints or advice / counsel being the level of service required by the client or case circumstances) and is continuing to work with Grantees to ensure clients are able to access the level of service required in their case.

Figure 15 shows landlord representation in ACE cases closed between July 1, 2023 and June 30, 2024. Approximately 87% of landlords were represented by an attorney or an agent. Approximately 12% of landlords represented themselves, and approximately 1% of landlords failed to appear (FTA) for the hearing. In failure to pay rent cases (Figure 16), approximately 42% of landlords were represented by agents compared to approximately 7% of landlords represented by agents in holdover and breach of lease cases (Figure 17).

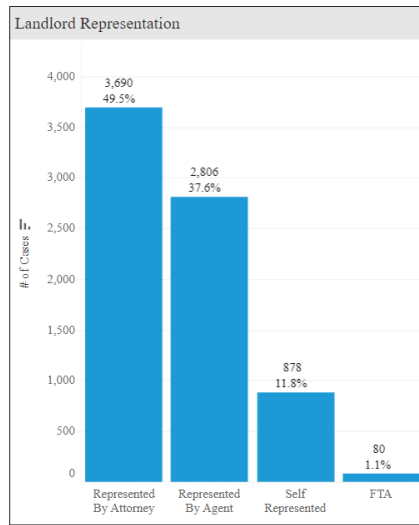


Figure 15

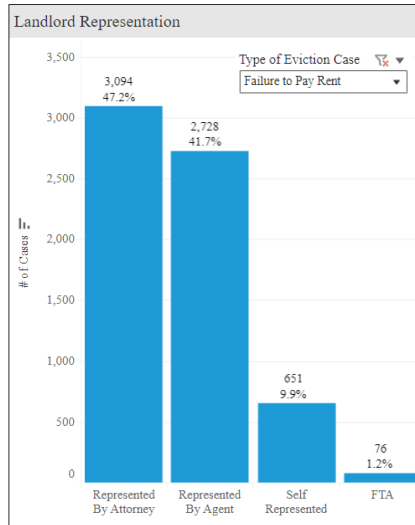


Figure 16

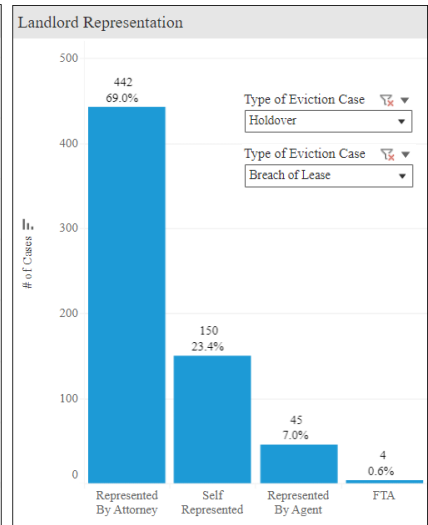


Figure 17

In failure to pay rent cases, approximately 63% of clients indicated they owed the number of months of back rent the landlord alleged they owed, and approximately 37% of clients indicated they did not owe the number of months of back rent that the landlord alleged they owed. Figure 18 and Figure 19 show the number of months behind on rent the landlord alleges the tenant is and the number of months behind on rent the tenant believes they are, respectively.

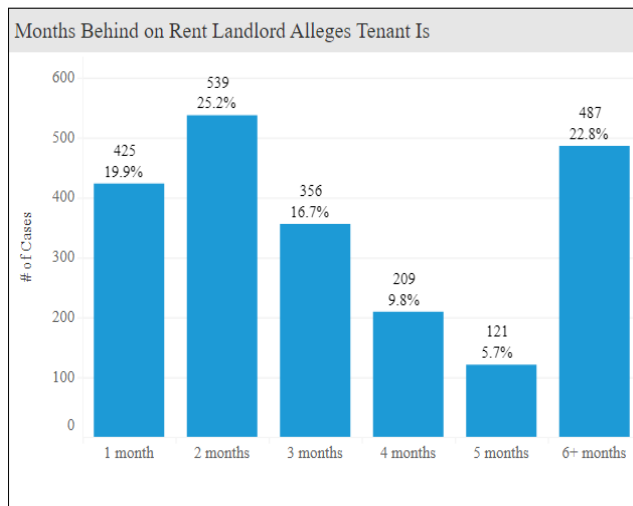


Figure 18

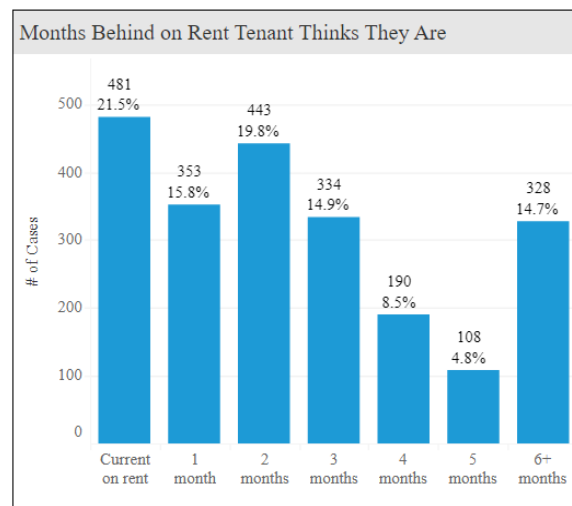


Figure 19

Of the approximately 23% of landlords who alleged the tenant owed 6 or more months of rent, approximately 63% of tenants agreed they owed 6 or more months of rent. For clients for whose landlord alleged they owed 6 or more months of rent, approximately 36% believed they owed less than 6 months, and approximately 15% believed they were current on rent. Additionally, approximately 49% of clients in failure to pay rent cases who disagreed with the landlord about how many months of back rent were owed believed that they were current on rent.

The table below shows the number of months of rent landlords alleged clients owed in cases where clients believed they were current on rent:

Months Behind on Rent	Landlords' Alleged Months Owed When Tenant Believed They Were Current On Rent
1 month behind	37%
2 months behind	28%
3 months behind	10%
4 months behind	4%
5 months behind	3%
6+ months behind	18%

Preliminary Directional Estimates of ACE's Public Fiscal Impacts

The impacts and costs of eviction to states, cities, counties, and municipalities are significant and multi-dimensional. Substantial reporting has documented the negative impact that evictions have on individuals, families, businesses, and communities. While many of these impacts are not yet quantifiable based on available data and research, clear fiscal costs or economic impacts of disruptive displacement do exist. This section details preliminary estimates of fiscal impact that ACE is having on publicly funded systems in Maryland. These preliminary estimates of fiscal impacts provide insight into how legal representation in eviction cases could mitigate these costs or assist in redirecting the funds to other efforts undertaken by state and local governments.

Additionally, it is important to consider the economic impacts to key stakeholders in the eviction process, including landlords. Landlords that Stout has engaged with throughout the country have explained the potential economic impacts and costs that they experience when filing evictions, which many use as a measure of last resort. The economic impacts and costs they communicate include but are not limited to attorney fees, filing fees, and other court costs; the time and costs associated with tenant screening and due diligence; costs of repair and maintenance to units needing to be re-rented; and the economic impact of tenants not paying rent as their eviction is being litigated.

It is important to appreciate that ACE is assisting tenants with substantive legal issues, often challenging personal circumstances, serious consequences that could arise from disruptive displacement (such as unsheltered homelessness), and a variety of disputes with the landlord. ACE, like other eviction right / access to counsel programs Stout has evaluated, infrequently assists clients who do not have these issues and complications with their cases and circumstances, representing a subset of all instances of delinquency and eviction filings (a subset of typically the most serious and severe cases). This is important context when considering potential fiscal impacts as well as the potential impacts of an eviction access to counsel for other stakeholders, including landlords, courts, and social service providers.

Stout relied on client interview data from the Grantees to develop these estimates. Client circumstances and case characteristics often vary. Because of this variation, not all interview questions are applicable to all ACE clients and therefore are not asked to all clients. While the goal is to ask all ACE clients all questions applicable to their circumstance and case, Grantee staff exercise discretion during the interview process. There may be interview questions not asked based on a client's lived experiences, comfort level with certain topics, and / or having to recount traumatic experiences. A primary data element for Stout's preliminary fiscal impact calculations is how ACE clients answered the interview question, "If you have to move, where could your household stay?" Answers to this question inform the degree to which clients would need assistance from publicly funded social safety net systems in Maryland and the likelihood of other fiscal impacts (e.g., economic value lost due to out-migration).

Stout used the percentage of ACE clients that Grantees assisted in achieving their goals or securing another case resolution that indicated a decreased likelihood of the client experiencing disruptive displacement as the basis for the percentage of ACE clients who likely avoided disruptive displacement through ACE. Using this data, Stout estimates Grantees assisted in avoiding disruptive displacement for approximately 84% of ACE clients with cases closed between July 1, 2023 and June 30, 2024.

Stout uses the phrase "disruptive displacement" to capture outcomes of cases beyond "winning" and "losing." For example, there may be circumstances where tenants did not have a formal eviction order issued against them and therefore were not displaced but have still experienced disruption in their lives because of the eviction filing, such as entering a negotiated settlement with unrealistic payment terms resulting in additional financial strain. Additionally, there may be circumstances where a tenant loses possession of their home but was granted an extra 30 or 60 days to vacate. In this situation, disruptive displacement may have been avoided because of the additional time to find alternative, suitable housing.

Estimated Total Preliminary Fiscal Impacts and Economic Benefits

Stout estimated that Maryland likely realized economic benefits and fiscal impacts of \$46.7 million between July 1, 2023 and June 30, 2024 as a result of ACE. For every \$1 spent on ACE, Maryland likely realized at least \$3.04 in fiscal impacts and economic benefits. In its evaluations and cost-benefit analyses (pre- and post-legislation) of eviction right / access to counsel programs throughout the country, Stout has found the estimated dollar value of a right to counsel generally ranges from \$2.76 to \$4.80.

The estimated quantifiable benefits were related to:

- Housing social safety net responses - \$21.6 million
- Additional Medicaid spending on health care - \$6.8 million
- Economic value preserved by retaining residency in Maryland -\$5.7 million
- Economic benefits of employment stability - \$3.5 million
- Fiscal impacts of responding to crimes - \$3.2 million
- Out-of-home foster care placements - \$2.2 million
- Economic benefits of increased educational attainment - \$2.2 million
- Fiscal impacts of criminalizing homelessness - \$1 million
- Retained federal funding for public schools in Maryland - \$500,000

Stout's preliminary estimate of fiscal impact is likely significantly understated. Included in the calculation are benefits of ACE that can be quantified based on currently available data. However, Maryland (and individual cities and counties within the state) would likely realize additional benefits that are not currently quantifiable based on available data.

These benefits that are not currently quantifiable based on available research include but are not limited to:

- The juvenile justice costs, and child welfare costs associated with children experiencing homelessness
- The tax benefits to the state associated with increased consumer spending
- The negative impact of eviction on tenants' credit score, ability to re-rent, and the potential loss of a subsidized housing voucher
- The cost of mental health care
- Certain additional costs associated with homelessness, such as additional law enforcement
- The cost of family, community, and neighborhood instability
- Preservation of financial and personal assets
- A reduction, over time, of the number of eviction cases filed resulting in improved use of the District Court resources throughout Maryland.

Estimated Fiscal Impacts Related to Housing Social Safety Net Responses

While homelessness may not always be experienced immediately following an eviction, eviction remains a leading cause of homelessness. According to data from the 2023 Point-in-Time Count, there were 4,480 people experiencing homelessness in one night in Maryland, an increase of 12% from 2022.¹⁷

Stout estimates that 5,672 households in Maryland likely avoided the high likelihood of disruptive displacement and remained residents of Maryland as a result of ACE. Based on data collected during the interview process, approximately 39% of ACE clients who completed the interview process indicated that if they had to move, they would experience homelessness.¹⁸ From July 1, 2023 through June 30, 2024, approximately 84% of clients likely avoided disruptive displacement, resulting in an estimated 2,229 households who potentially avoided experiencing homelessness.

In Maryland, housing social safety net responses include emergency shelter, transitional housing, rapid re-housing, permanent supportive housing, and street outreach to people experiencing unsheltered homelessness. Households experiencing homelessness could utilize one or more of these services, sometimes on multiple occasions. Stout's calculation is based on what resources and services a household experiencing homelessness would reasonably receive as well as the frequency with which households experiencing homelessness would receive these services. Stout estimates that the average per household cost of a housing social safety net response in Maryland is approximately \$9,700 per year.¹⁹

Applying the approximately \$9,700 per household to the 2,229 households who likely avoided experiencing homelessness due to ACE results in approximately \$21.6 million in fiscal impacts to Maryland from July 1, 2023 through June 30, 2024.

Estimated Additional Medicaid Spending on Health Care

A significant body of research has documented the connection between health and housing, and recent research has examined the connection between eviction filing rates

¹⁷ HUD 2023 Continuum of Care Homeless Assistance Programs Homeless Populations and Subpopulations: Maryland.

¹⁸ The estimated 39% is based on Stout's extrapolation methodology to distribute answers of "unknown" among other categories. This includes ACE clients who indicated that they would need to enter emergency shelter, live in a hotel/motel, or live unsheltered or on the street and was calculated using a methodology to allocate pro rata the "unknown" responses.

¹⁹ Stout reviewed publicly available data and reports; Fiscal Year 2023 Continuum of Care Competition Homeless Assistance Award Report: Maryland, HUD 2023 Continuum of Care Homeless Assistance Programs Housing Inventory Count Report: Maryland, 2020/2021 Maryland Interagency Council on Homelessness Annual Report on Homelessness, and data from the National Alliance to End Homelessness.

and mortality rates.²⁰ People experiencing homelessness, including those experiencing homelessness because of eviction or disruptive displacement, often utilize in-patient and emergency room care more frequently than people who are stably housed. Stout found in its independent evaluation of Cook County's (Chicago) Early Resolution Program, approximately 41% of clients facing eviction who connected with the program indicated that if they were not able to effectively resolve their case, they would likely experience increased stress and health concerns.

Approximately 39% of clients indicated that if they had to move, they would likely experience homelessness in some form.²¹ Using utilization rates of in-patient and emergency room care for people experiencing homelessness, the average cost per person cost of in-patient and emergency room care, Medicaid enrollment, and the estimated portion of Medicaid funded by the state government in Maryland, the total estimated Medicaid fiscal impact to Maryland would be approximately \$6.8 million from July 1, 2023 through June 30, 2024 as a result of ACE.

Retained Economic Value by Minimizing Out-Migration

Approximately 4% of ACE clients indicated that if they had to move, they would move in with friends or family who lived outside of Maryland.²² Approximately 84% of clients likely avoided disruptive displacement, resulting in approximately 236 households staying in Maryland as a result of ACE.²³ Using this metric and an estimated \$12,000 in economic value (e.g., federal funding, state and local tax revenue, dollars spent in state and local economies) per person,²⁴ Stout estimates that Maryland has likely retained \$5.7 million in economic value from July 1, 2023 through June 30, 2024 as a result of ACE.

²⁰ Rao, Shreya et al. "Association of US County-Level Eviction Rates and All-Cause Mortality." National Library of Medicine. November 2022. The researchers analyzed 2016 eviction data for nearly 700 counties and found that eviction rates were significantly associated with all-cause mortality with the strongest associations observed in counties with the highest proportion of Black and female residents. All-cause mortality increased by approximately 9 deaths per 100,000 residents for every 1% increase in eviction rates.

²¹ See footnote 14.

²² In its evaluation of eviction right / access to counsel programs in Cleveland, Chicago, Connecticut, Milwaukee, and Oklahoma, Stout found that between 2% and 4% of households indicated they would have to move out of their jurisdiction if they had to move.

²³ The average household size of ACE clients is 2 individuals.

²⁴ Estimated by Stout using data from: (1) Aguilar, Louis. "Detroit population continues to decline, according to Census estimate." Bridge Michigan. May 2020. (2) "State and Local Expenditures." Urban Institute. 2018. Referencing State & Local Government Finance Data Query System and Data from U.S. Census Bureau, Annual Survey of State and Local Government Finances, Volume 4. 2020. (3) Present value of investments that cities and states have been willing to make to attract new residents.

Estimated Economic Benefits Related to Increased Employment Stability

Research has demonstrated the impact of eviction on employment stability, particularly the increased likelihood of a person experiencing job loss after being evicted. Stout estimates approximately 15% would likely have experienced job loss because of disruptive displacement caused by eviction.²⁵ When individuals experience job loss and lose income, they could become eligible for social safety net benefits.

Stout estimated the reduction in social safety net expenditures due to decreased job loss associated with eviction as a result of ACE. Stout estimates that the average low-income household whose head-of-household experiences unemployment receives \$4,000 in social safety net benefits during the period of unemployment.²⁶ This results in approximately \$3.5 million in decreased social safety net benefits spending in Maryland as a result of ACE.

Estimated Fiscal Impacts of Responding to Crimes

Stout estimated the criminal justice fiscal impacts associated with a reduction in crime associated with fewer evictions. Research has demonstrated how higher rates of eviction correspond to higher rates of homicide, robbery, and burglary.²⁷ As previously described, Stout estimates that 5,672 households in Maryland likely have avoided disruptive displacement and remained residents of Maryland. Researchers have found a correlation between eviction and crimes associated with procuring shelter, forcible entry, and vehicle theft.²⁸ Using these findings, Stout estimates that Maryland likely experienced approximately 459 fewer forcible entries and 85 fewer vehicle thefts from July 1, 2023 through June 30, 2024 as a result of ACE.

There is a breadth of research estimating the cost of crime, from which a range of cost per crime calculations have been made. While there is no agreed upon methodology for cost of crime calculations,²⁹ numerous studies have grouped cost of crime into four categories: victim costs, criminal justice costs, crime career costs, and intangible costs.³⁰ Stout utilized the most recent scholarship that evaluates prior studies as well as

²⁵ Estimated using Desmond, Matthew and Gerhenson, Carl. "Housing and Employment Insecurity among the Working Poor." Harvard University. January 11, 2016.

²⁶ Stout estimated per household social safety net benefits expenditure due to unemployment in Maryland using per household state and federal welfare expenditures. Not every individual will be approved for every social safety net benefit program and eligibility for programs vary.

²⁷ Semenza, D. C., Stansfield, R., Grosholz, J. M., & Link, N. W. "Eviction and Crime: A Neighborhood Analysis in Philadelphia." *Crime & Delinquency*. August 2022.

²⁸ Falcone, Stefano. "Forcing Out, Breaking In: Do Evictions Increase Crime." July 2022. See Table B.1.

²⁹ Bureau of Justice Statistics. <https://bjs.ojp.gov/costs-crime>.

³⁰ McCollister KE, French MT, Fang H. The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation. *Drug Alcohol Depend*. April 2010.

government reports to determine the criminal justice cost per forcible entry and vehicle theft. Stout only considers the public criminal justice costs, which represent direct fiscal impacts to Maryland, in its calculation. The criminal justice cost of a single vehicle theft was calculated to be approximately \$3,900 (\$5,700 in 2024 dollars) and a burglary to be approximately \$4,100 (\$6,000 in 2024 dollars).³¹ Applying these criminal justice fiscal impacts to the avoided forcible entries and vehicle thefts, Maryland likely realized fiscal impacts of approximately \$3.2 million in criminal justice fiscal impacts from July 1, 2023 through June 30, 2024 as a result of ACE

While Stout only calculated the fiscal impacts of responding to forcible entries and vehicle thefts, the actual criminal justice fiscal impact is likely higher. Research has shown that eviction is associated with a number of other crimes³² and gun violence³³, each of which has its own criminal justice fiscal. However, these studies relating to other crimes associated with eviction do not currently include quantifications of cost.

Estimated Out-of-Home Foster Care Fiscal Impacts

Stout quantified potential out-of-home foster care fiscal impacts related to children who may have been placed in out-of-home foster care if their household had experienced disruptive displacement.

Stout estimates that 5,672 households in Maryland likely avoided disruptive displacement and remained in the Maryland as a result of ACE. Based on data collected by Grantees, approximately 51% of ACE client households had children and the average number of children per household with children was 2. Approximately 4% of children from evicted families are placed in foster care and are likely living in foster care for at least one year.³⁴ This results in an estimated 185 children who may have been placed in foster care as a result of disruptive displacement but for ACE. As of September 2023, there were more than 4,340 children in foster care in Maryland.³⁵

³¹ Ibid. Stout used the Bureau of Labor Statistics Consumer Price Index Inflation Calculator to adjust the dollar amounts to 2024 dollars. <https://data.bls.gov/cgi-bin/cpicalc.pl>.

³² Semenza, D. C., Stansfield, R., Grosholz, J. M., & Link, N. W. "Eviction and Crime: A Neighborhood Analysis in Philadelphia." *Crime & Delinquency*. August 2022.

³³ Gaston, Melanie. "The Impact of Eviction on Neighborhood Gun Violence." Rutgers, State University of New Jersey. May 2021.

³⁴ Berg, Lisa and Brannstrom, Lars. "Evicted children and subsequent placement in out-of-home care: a cohort study." *Public Library of Science*. April 18. 2018.

³⁵ Who Cares: A National Count of Foster Homes and Families. The Imprint.

Based on cost data published by the Maryland Department of Children and Families, Stout estimates an average annual cost of \$18,824 per child in out-of-home care.³⁶ Applying the \$18,824 annual cost to the estimated 185 children in Maryland who would have likely entered out-of-home foster care because of disruptive displacement results in a total cost of approximately \$3.5 million. Of the estimated \$3.5 million in annual out-of-home foster care cost for children living in foster care because of disruptive displacement, approximately 64% is funded by Maryland.³⁷ Maryland likely realized approximately \$2.2 million in fiscal benefits related to out-of-home foster care placements due to disruptive displacement because of ACE.

The likely cost savings related to out-of-home foster care placements for Maryland are likely significantly understated. There are many additional services offered to children who are living in foster care that accompany foster care. The cost of social workers, case managers, maintenance payments, and monitoring the well-being of children placed with families, for example, are not included in Stout's analyses as reliable, publicly available data to estimate these costs was limited. There may also be fiscal impacts related to children who are living in foster care for reasons not related to housing but who cannot return home because their family is facing a housing instability issue that could be addressed by eviction right / access to counsel.

Estimated Economic Benefits Related to Increased Educational Attainment

School-aged children who experience homelessness face significant mental and physical health challenges that prevent students from focusing on their education.³⁸ These challenges can result in students experiencing homelessness becoming chronically absent from school.³⁹ After just one year of chronic absenteeism, students are significantly less likely to complete high school.⁴⁰

Research has demonstrated that not completing high school has a significant impact on an individual's future income.⁴¹ Additionally, the relationship between higher levels of education and lower likelihood of public benefit program utilization have also been

³⁶ Estimated using Commissioner's Monthly Report from February 2024, Maryland Department of Children and Families and "Child Welfare Spending in Maryland in SFY 2020." Child Trends. See also "Children Entering Out of Home Placement." Rutgers School of Social Work. 2023.

³⁷ "Child Welfare Spending in Maryland in SFY 2020." Child Trends.

³⁸ Bishop, Joseph. "Our Children Can't Wait: The Urgency of Reinventing Education Policy in America"

³⁹ "Chronic Absenteeism Among Students Experiencing Homelessness in America." National Center for Homeless Education. 2022.

⁴⁰ "Research Brief: Chronic Absenteeism." University of Utah, Utah Education Policy Center. 2012.

⁴¹ Tamborini, et al. "Education and Lifetime Earnings in the United States." Demography. 2016.

identified.⁴² Graduation from high school and college have been shown to significantly decrease the likelihood of the future need for cash and housing assistance,⁴³ applying for and utilizing Supplemental Nutrition Assistance Program benefits,⁴⁴ and being enrolled in Medicaid.⁴⁵

Stout estimates that increased educational attainment could result in approximately \$10,400 less social safety net spending per year per individual in Maryland who would not have completed high school but for ACE.⁴⁶ Applying this to the estimated 214 children who Stout estimates likely would not have completed high school but for ACE, results in approximately \$2.2 million in reduced social safety net expenditures in Maryland from July 1, 2023 through June 30, 2024.

Estimated Fiscal Impact of Criminalizing Homelessness

Individuals experiencing homelessness are more likely to interact with police, be fined for quality-of-life crimes, and be arrested compared to housed individuals.⁴⁷ A study on homelessness in Minnesota found that 12% of adults experiencing homelessness had been incarcerated within the past year.⁴⁸ A similar study conducted in New York City found that 23% of emergency shelter residents had been incarcerated within the past 2 years.⁴⁹ Stout used the 12% metric identified in the Minnesota study, given that it is on an annual basis, to estimate that approximately 12% of individuals who could have experienced homelessness could have also experienced incarceration but for ACE.

⁴² Cliff, Aiden. “The Relationship Between Education and Welfare Dependency.” *The Brown Journal of Philosophy, Politics & Economics*.

⁴³ Waldfogel, J, et al. “Public Assistance Programs: How Much Could be Saved with Improved Education?” Working Paper for Education Symposium, Teacher’s College, Columbia University. 2005.

⁴⁴ Rank, M and Hirschl, T. “The Likelihood of Using Food Stamps During the Adult Years.” *Journal of Nutrition and Behavior*. 2005.

⁴⁵ Muennig, P. “Health Returns to Educational Interventions.” Columbia University. 2005.

⁴⁶ Stout estimated per household social safety net benefits expenditures for individuals who do not complete high school in Maryland using per household state and federal welfare expenditures by level of educational attainment.

⁴⁷ Speigman, Richard, Green, Rex S. “Homeless and Non-Homeless Arrestees: Distinctions in Prevalence and in Sociodemographic, Drug Use, and Arrest Characteristics Across DUF Sites.” National Institute of Justice. 1999. See also Herring, Chris. “Complaint-Oriented Policing: Regulating Homelessness in Public Space.” American Sociological Association. 2019; Bailey, Madeline, Crew, Erica, Reeve, Madz. “No Access to Justice: Breaking the Cycle of Homelessness and Jail.” Vera Institute of Justice. 2020; Zakrisson, Tanya, Hamel, Paul, Hwang, Stephen. “Homeless People’s Trust and Interactions with Police and Paramedics.” *Journal of Urban Health*. 2004.

⁴⁸ “Overview of Homelessness in Minnesota 2006.” Wilder Research. 2007.

⁴⁹ Metraux, Stephen, Caterina, Roman, Cho, Richard. “Incarceration and Homelessness.” US Department of Veterans Affairs. 2008.

The cost of one night in jail is approximately \$105 in Maryland.⁵⁰ Data from the Bureau of Justice Statistics indicates that the average jail-stay for an individual convicted of a misdemeanor offense is approximately 29 days.⁵¹ Using this data, Stout estimates that as a result of ACE, the Maryland realized fiscal impacts of approximately \$1 million related to costs associated with criminalizing people experiencing homelessness.

Retained Federal Funding for Public Schools in Maryland

Stout quantified the potential federal funding retained for public schools in Maryland from avoided student migration out of Maryland as a result of disruptive displacement. During the 2021-2022 school year, there were approximately 16,671 students experiencing homelessness in public schools in Maryland.⁵² In addition to experiencing homelessness, a portion of students in public schools in Maryland are also chronically absent from school, missing 10% or more of school days.⁵³ Research shows that students experiencing homelessness are chronically absent at least twice as frequently as stably housed students.⁵⁴

Stout estimates that 5,909 households in Maryland avoided the high likelihood of disruptive displacement due to ACE. Approximately 4% of ACE clients indicated that if they had to move, they would move in with friends or family who lived outside of Maryland. Approximately 51% of ACE client households have children with an average of 2 children per household. Stout estimates that 193 children may have lived in households that migrated out of Maryland but for ACE.

Public schools in Maryland receive approximately \$2,430 in federal funding per student enrolled.⁵⁵ Applying the per student funding to the 193 estimated children who likely have remained in public schools in Maryland due to ACE results in approximately \$500,000 in retained federal funding for Maryland's public schools.

⁵⁰ Vera Institute, Price of Prisons – Maryland.

⁵¹ Zheng, Zhen. "Jail Inmates in 2021 – Statistical Tables." Bureau of Justice Statistics. December 2022.

⁵² 2023 Maryland Rural Summit Addressing Rural Homelessness.

⁵³ "Chronic Absenteeism Trends and Bright Spots." Maryland Department of Education. January 2024.

⁵⁴ National Center for Homeless Education, "In School Every Day: Addressing Chronic Absenteeism Among Students Experiencing Homelessness."

⁵⁵ Calculated using U.S. Census Fiscal Year 2018 Annual Survey of School System Finances.

Recommendations

Included in Stout's scope of work is the development of recommendations and identification of strategic considerations designed to be assistive in fully implementing and refining ACE. In Stout's experience, initial implementation of large-scale eviction right / access to counsel programs can be challenging and imperfect. Recommendations based on early evaluations can be helpful as MLSC and the Grantees seek to continually improve how ACE operates. Based on its evaluation findings, Stout recommends the following activities be undertaken as ACE continues to be implemented statewide:

1. Continue to refine data elements collected and analyzed that create a data-informed approach to evaluation.
2. Leverage the data visualizations that Stout built to identify areas for improving the completeness and accuracy of the data being collected.
3. Support the development of a Tenant Advisory Council and Landlord Advisory Council to gather feedback from those with lived experiences in the eviction process in Maryland that can inform the continued implementation of ACE.
4. Explore the feasibility of a post-service client feedback mechanism. Client feedback post-representation may provide insights into external challenges clients are experiencing that contribute to ongoing housing insecurity for ACE clients.
5. Develop an understanding of the intersections between the Rental Assistance for Community School Families Program and ACE clients. Collaboration between MLSC, Grantees, and the Department of Housing and Community Development may identify opportunities to amplify the work and outcomes of both programs.
6. Explore the feasibility of data collection by organizations receiving outreach grants, particularly among those that are conducting door-to-door canvassing.
7. Consider the role of housing navigators and other non-attorney staff as complements to attorneys and to assist with non-legal work.
8. Develop a methodology for assessing the frequency of repeat ACE clients and systemic / persistent barriers to housing stability for them.

Stout Profile and Qualifications

Stout Risius Ross, LLC (Stout) is a global investment bank and advisory firm specializing in corporate finance, valuation, financial disputes, and investigations. In addition to these services, Stout's professionals have expertise in strategy consulting involving a variety of socioeconomic issues, including issues of or related to access to justice and the needs of low-income individuals and communities.

Under the direction of Neil Steinkamp, who leads Stout's Transformative Change Consulting practice, Stout is a recognized leader in the civil legal services community and offers the following services:

- Economic impact assessments and policy research for civil legal services initiatives
- Strategy consulting and action plan development for issues relating to access to justice
- Non-profit budget development, review, and recommendations
- Cost-benefit and impact analyses for non-profit initiatives and activities
- Data-driven program evaluation and implementation
- Dispute consulting and damages analyses for low-income individuals.

Neil Steinkamp is a Managing Director at Stout and a well-recognized expert and consultant on a range of strategic, corporate, and financial issues for businesses, non-profit organizations, and community leaders and their advisors. Neil has extensive experience in the development of strategic plans, impact analyses, data evaluation, and organizational change. His work often includes assessments of data reporting, data collection processes, the interpretation or understanding of structured and unstructured data, the review of documents and databases, the development of iterative process improvement strategies, the creation of data monitoring platforms to facilitate sustained incremental change toward a particular outcome and creating collaborative environments. Mr. Steinkamp also has experience with housing related issues, including eviction. He has authored numerous economic impact studies on providing low-income tenants with attorneys in eviction proceedings, one of which assisted in the passing of New York City's historic right to counsel law. Mr. Steinkamp also currently serves as the court-appointed Independent Data Analyst in *Baez v. New York City Housing Authority*, overseeing NYCHA's compliance with the timely remediation of mold and leak work orders.

Samantha DiDomenico is a Senior Manager at Stout and is based in Central Ohio. Samantha has 10 years of experience providing consulting services to for-profit and non-profit clients in a variety of industries. She has expertise in understanding large, complex systems and data sets and their intersection with business and social issues. Samantha's work often includes conducting economic impact assessments and program evaluations,

conducting independent research, interpreting and analyzing voluminous data sets, and developing transformative change strategies for her clients. She has extensive experience related to social issues, court system operations, and governmental agency operations. Samantha also has experience leading collaborative settings such as focus groups and multi-stakeholder meetings, which are often a key element of her engagements. Through these interactions, she is able to create an environment where her clients can share their expertise and experiences, which informs her approach to her engagements and ultimately results in the transformative change her clients are seeking.

In mid-2020, Stout developed innovative analyses of tenant household instability caused by the COVID-19 pandemic, the estimated rental debt owed, and estimated how that instability could result in an unprecedented number of eviction filings in states throughout the country. Stout's research and analyses have been cited in local and national publications, including, but not limited to, *The New York Times*, *The Washington Post*, *CNBC*, *Reuters*, *Forbes*, *Politico*, and *Bloomberg*, and was referenced in the Centers for Disease Control and Prevention (CDC) September 4, 2020 Order enacting a nationwide eviction moratorium. Stout also maintains an [Eviction Right to Counsel Resource Center](#) which includes Stout's eviction cost-benefit analyses as well as a compilation of resources related to the eviction process, housing instability, racial bias, the impacts and economic costs of eviction, and draft and enacted legislation.

Stout was engaged by a recipient of the National Low Income Housing Coalition's "ERASE" (End Rental Arrears to Stop Evictions) grant to assist it in estimating what financial commitment would be required to sustain emergency rental assistance. Stout completed a similar analysis in Maryland in December 2023. In Stout's pre- and post-legislation evaluations (Maryland, Cleveland, Milwaukee, Connecticut, Nashville, Oklahoma, Chicago), Stout is collecting data to determine how frequently tenants seeking legal representation have already applied for emergency rental assistance, the amount of back-rent owed, whether they were approved, what amount of assistance they received, and whether the rental property owners accepted the funds.

Stout has been engaged by more than 50 non-profit organizations serving low-income communities across the United States. These engagements often included program or public policy evaluations, return on investment analyses, and strategic action planning. Stout is currently serving as the evaluator of eviction right to counsels in Cleveland, Milwaukee, Connecticut, and Maryland. Stout has conducted eviction right to counsel fiscal return on investment analyses and independent expert reports for advocates, coalitions, bar associations, and government agencies in Baltimore, Chattanooga, Delaware, Detroit, Newark, New York City, New York (outside of New York City), Los Angeles, Oklahoma and Tulsa counties, Pennsylvania, Philadelphia, and South Carolina and is currently conducting eviction-related analyses in Atlanta, Chicago, Cincinnati, Nashville, and Phoenix. Following the release of Stout's reports in Baltimore, Columbus,

New York City, Philadelphia, and Detroit eviction right to counsel legislation was enacted. In these engagements, Stout worked closely with funders/potential funders, legal services organizations, rental property owners, academics studying housing and eviction, government agencies and the continuum of care, non-profits serving low-income residents, community organizers, and impacted residents.