



Tenant 101 Handbook

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Who is Baltimore Renters United?

Baltimore Renters United (BRU) is an organization run by tenants working towards a Baltimore in which all renters live in safe, affordable, and secure housing. Through direct action, education, and advocacy, we're empowering new community leaders and building a movement to transform the housing system in Baltimore to value the principles of human rights.

Our Mission

Baltimore Renters United envisions a Baltimore where all renters have safe, stable, and affordable housing; and where all tenants, especially those who are marginalized by virtue of being Black, Brown, low-income, or otherwise, are free from exploitation.

Our Vision

Baltimore Renters United is building a tenant-led movement for housing justice. In collaboration with communities, organizers, legal advocates, and service providers, we use community organizing, political education, and advocacy to build the ranks of tenants who are prepared to advance renters' rights and build tenant power in Baltimore.

Our Principals

- **Tenant-led** – The work for housing justice must be accountable to Baltimore renters. Those who are directly impacted by the housing crisis, who are disproportionately Black and Brown women, families, and low-income renters, must lead this movement.
- **Racial Justice** – Our work must be centered on dismantling the systemic racism that has constructed and maintains an inequitable housing system. Our movement builds toward a society where Black, Brown, and all marginalized people live with the dignity, resources, power, and self-determination to fully thrive.
- **Movement-building** – We are an organization focused on building tenants' rights. We are creating a movement of renters to shift the balance of power.
- **Collective Power** – We are more powerful together than apart. The collective power of people, especially those directly impacted by housing injustice, can bring about meaningful, long-term change.
- **The Right to Housing** – Everyone deserves to live in safe housing with dignity and respect. Housing is critical to an individual's quality of life and crucial to a flourishing society, the health of families, and the prosperity of communities.
- **Political Education** – Our movement must be self-perpetuating and intentionally generate strong leadership. We expose the realities of how the housing system works and raise public consciousness about the issues.
- **Transparency and Accountability** – We hold public institutions, including rent court, responsible for perpetuating housing injustice. When housing injustice

is recognized, accountability and transparency is demanded from all appropriate institutions and governmental structures.

History of BRU

BRU is a coalition of independent non-profit groups, legal services organizations, tenants' associations, and community-based organizations who convene around a common purpose: working towards a Baltimore in which all renters live in safe and affordable housing that has security of tenure. In Baltimore City, 53% of homes are rentals, but many renters live in substandard conditions, paying more than they can afford for rent and cycling through debt collection and eviction.

In 2015, the Public Justice Center and Right to Housing Alliance published the report, Justice Diverted: How Renters are Processed in the Baltimore City Rent Court. The report shared that nearly 60% of renters surveyed at the time of eviction cases reported threats to health or safety in the home to their landlords. Only 8% of them were able to effectively address housing defects in defense of their cases. In April 2017, the Baltimore Sun's year-long investigation revealed that the Rent Court "routinely works against tenants, while in many cases failing to hold landlords accountable when they don't ensure minimum standards of habitability."

Too many City renters are paying too much for housing which makes them sick, causing them to miss work and school. All the while, they are hounded by negligent property managers and slumlords and are often unable to make their case in court. BRU was formed in 2017 to campaign for a level playing field for City renters.

Why Form A Tenants Union?

Are you having problems with your landlord such as rent hikes, illegal evictions, unsafe conditions, harassment, mold, leaks, broken elevators, rodent/pest infestation, or general poor management? You have the right to form a tenant union and Baltimore Renters United can help you start organizing. If you are interested in organizing in your building/community, please email info@bmorerentersunited.org

Consider your life as a tenant. Is your apartment in decent condition? Do you know your neighbors? Do you feel safe where you live? Does the bus come nearby? Is there affordable daycare or health care nearby? Do the kids in your development have after-school programs nearby? If you answered "no" to any of these questions, but you wish you could have answered "yes", then you have a reason to organize. People organize because they agree there are serious problems that need to be fixed and that only their collective actions can solve that problem.

Chances are that if there is a problem YOU think is serious, others will share that

concern. If you have roaches or mice or are afraid to walk around the complex at night, chances are your neighbors are concerned with these things too.

If security is a problem, forming a tenant's union can help you get to know who lives in your development and who doesn't. You can look out for each other and lend a hand when it's needed. You can also make life at the complex more fun by having the tenants' association sponsor development-wide functions, like picnics or parties.

TIP: Management cannot unreasonably deny a tenants association request to use space for a tenant's meeting. Be sure to put your request in writing. If you feel it's necessary, request a receipt (usually the person receiving it can sign and date the front page and give you a photocopy of that front page).

You have the right to live in decent, sanitary housing; the right to have repairs done in a timely manner; the right to be notified in writing, of any non-emergency inspection or other entry into your apartment; the right to fair and equal treatment and use of your building's services and facilities without regard to race, color, religion, gender, disability, familial status (children under 18), national origin (ethnicity or language) or some circumstances, age.

Rent Escrow & How To File

Tenants can use rent escrow to force landlords to repair serious or dangerous conditions in the property. If approved by the court, tenants pay rent into an escrow account until a landlord makes repairs. If you have questions, get help. Tenants and non-business landlords may receive free advice, but not representation, from lawyers at the Maryland Court Help Center 410-260-1392 or visit mdcourts.gov/helpcenter

What Is Rent Escrow?

- Maryland law requires landlords to fix conditions that are a serious threat to the life, health, or safety of their tenants.
- When a landlord fails in this duty, a tenant may file a rent escrow case with the District Court.
- Tenants may also raise rent escrow as a defense to a failure-to-pay-rent case. ● In a rent escrow case, a tenant is usually required to pay rent directly to the court. The court will hold the tenant's money until the conclusion of the case. ● When the case ends, the court may give the money to the landlord, may give it back to the tenant, or may split it between both parties. The court may also end a lease early or allow it to continue until it expires.

What Problems May Qualify?

Examples of serious conditions that may qualify include: (note: this list is not exhaustive, other conditions may count)

- no heat in the winter
- bedbugs
- no electricity ●
- sewage back up ●
- no running water ●
- lead paint
- rodent infestation
- structural defects
- mold
- fire hazards

The court may dismiss an escrow case if the tenant has caused the problem or if the tenant is refusing to allow the landlord access to fix the problem.

Unfortunately, if you have more than 4 Failure To Pay Rent judgments in a 12 month period against you, you may not be able to file an escrow-But please don't let this deter you, especially if you are living in deplorable conditions. You can always check at the self-help center at the courthouse to figure out how many judgments you have.

The Landlord's Time To Repair

- Before withholding rent, a tenant must notify the landlord about the problems in the unit and allow a reasonable time for the landlord to make repairs. The best way to give notice to the landlord is to do so in writing, so you have proof.
- Once the landlord receives notice, the law gives them a reasonable amount of time to make repairs. Usually, the court will consider it unreasonable for a landlord to take more than 30 days to make repairs once they are made aware of the problem.
- A county or city housing inspector may give the landlord a shorter deadline to make repairs. If so, the court may consider the housing inspector's deadline to be reasonable.

The Rent Escrow Process: How to File a Case

- -Tenants may start a rent escrow case by completing a Complaint for Rent Escrow, form DC-CV-083.
- File the form at the District Court at 501 E Fayette St. The form is available at the clerk's office or online at mdcourts.gov/courtforms. There is a \$36 fee to file-You may ask to have this fee waived with from CC-DC-098
- Once the paperwork is accepted, the court will set a hearing date. Notice must be personally served on the landlord or their resident agent, so make sure you use the right address on the Escrow Form for your rental office or landlord.
- In most Baltimore City cases. the escrow account is not opened until the case is reviewed by the judge at the hearing

What Happens At The Hearing

- A landlord may have a non-lawyer represent them in an escrow proceeding. It is common for property managers to represent landlords in these cases. ● Tenants

must prove the existence of a serious and substantial health or safety condition.

Please make sure you take pictures/videos of these conditions to bring to court as evidence. Present these to the Judge during your case. • The tenant must prove

that the landlord had notice of the problem and didn't make the repair within a reasonable time.

- The court generally considers 30 days a reasonable amount of time for a landlord to make repairs. Tenants should bring copies of the written notice they provided to the landlord about the property's condition.
- If a tenant incurred expenses as a result of the condition, they should bring proof and receipts.
- If the tenant called a housing inspector about the dangerous condition, speak to a lawyer about how to get the inspector to come to court to testify.
- The landlord may win if they can show that the tenant or tenant's guest caused the condition in the rental property.
- The landlord may also win if the tenant didn't allow the landlord or the landlord's representative access to the property to make repairs.

The Court's Decision

- After hearing the evidence, the judge may order a range of actions, including •
Order the tenant to pay into escrow
- Reduce rent due to the landlord to an amount that is reasonable given the condition of the property
- Distribute money in the escrow account to the landlord, tenant, or a third party tasked with making repairs
- Order the landlord to make repairs;
- End the lease
- Dismiss the case
- In cases where an escrow account has been opened and the landlord was ordered to make repairs, the court will usually set a follow-up hearing.

Rent Escrow Forms:

MD Court Form Search: mdcourts.gov/courtforms

Escrow Form: Search for Form DC-CV-O83

Cost Waiver Form: Search for Form CC-DC-089

Reporting Conditions Using 311

You can report poor conditions in your building to DHCD/Code Enforcement by **dialing 311** to contact Baltimore City's non-emergency **phone line** between **6am and 10pm**.

You can also report issues **24 hours a day** on the **311 website** by going to **<https://balt311.baltimorecity.gov/citizen/servicetypes>**

Phone Walkthrough:

1. Dial **311** and wait through the automated recording. **You do not need to select any of the submenus**. Once the recording has played, it will automatically connect you to a 311 representative.
2. The representative will ask for your **address**. It is very important to give **your full address including your apartment number** - that is how they will figure out where to inspect.
3. Tell the representative you're having issues with conditions in your apartment and you'd like an inspector to come out.
4. Tell them **yes, you do want to be followed up with** and give them your **phone number** and **email address**.
5. Ask for a **reference number** for your complaint and **write it down somewhere safe**.

Website Walkthrough:

1. Enter the website address in your browser. If using the mobile site, select **"Request"**. Select the category **"Housing, Buildings, and Structures"** or whichever category best fits the issue you want to report.
2. Select the category of the concern you're reporting. If you aren't sure, or you are reporting buildingwide issues, select **"Housing Inspection - Utility Systems"**. 3. Select **"Request"**
4. Enter the **address** of your apartment.
5. Answer the questions as best fit the issues you are reporting.
6. Make sure you say you **WOULD** like to receive notification once the inspection is complete.
7. Put in your **contact information**, make sure all your details are correct, then **submit your claim**.

8. Don't forget to **write down your confirmation number** if there is one- this will help you track progress on your report, and serve as a reference if you need to contact code enforcement again about the same case.

Tenant Tips

1. Read your lease before signing it.
 - a. Ask whether there are any additional charges aside from rent such as a water, gas, sewer, trash, garage or storage fees - Check if those fees are "listed as like or deemed as rent", which means they can be included in amounts filed for in Rent Court
 - b. You're allowed to ask to change the terms before you sign.

2. Make sure you sign your initials or signature by your Automatic Renewal Clause.
 - a. By signing your initials or name in this area, it ensures that your rent and other terms cannot be changed if your landlord breaches the MD State Law 60-day Automatic Renewal Clause 8-203.
 - b. If you receive a renewal letter and not your lease, and then receive your lease and there are more changes to your new lease than your renewal letter lists or more changes from your old lease, the renewal letter is not valid, mainly if you receive a copy of the renewal letter and/or new lease less than 60 days prior to the expiration of your current lease (Ex. The lease expires December 31st, you should be provided with a new lease by November 2nd; any day after November 2nd is considered a "Breach of Lease" if they are changes made to your current lease for the new lease period. If your current lease has more than a 60-day renewal clause; it still won't change the law.

3. Use emails or text communication to validate any communication you have with the landlord/agent, more so if your issues are not resolved upon the first complaint.

4. NEVER make payment arrangements out of fear or desperation.

5. DON'T FEAR EVICTION; you have A LEGAL RIGHT to FIGHT, especially if there are life, health & safety issues with your rental unit, and you have the HUMAN RIGHT to FIGHT for your housing, PERIOD.

6. If you are living in unsafe conditions such as lack of heat, air conditioning, mold, rodent infestation and there is no relief from the landlord, consider putting your money into escrow.
 - a. Tenants can use rent escrow to force landlords to repair serious or dangerous conditions in the property. If approved by the court, tenants pay rent into an escrow account until a landlord makes repairs. If you have questions, get help.

Legal Resources Index

There is a Maryland Self-Help line with attorneys on the line who can give you legal advice and assist with questions you may have at 410-260-1392. Depending on your situation, you may be able to get free legal advice and/or representation from one of these:

Public Justice Center : PJC is a legal nonprofit organization that can provide advice or representation in some cases

Phone: 410-625-9409

Web: [bitly/pjcmd](https://bitly.com/pjcmd)

Maryland Legal Aid : MDLA provides representation to tenants in rent court and brief advice for tenants who need help filling out forms or wish to represent themselves in court. Especially helpful for section 8.

Phone: 410-951-7777

Web: bit.ly/md_lab

Disability Rights Maryland

Disability Rights MD may represent Maryland residents who have disability and a legal issue

Phone: 410-727-6352

Web: bit.ly/dr_md

Pro Bono Resource Center : PBRC provides free client services for income-qualifying tenants who have been sued by their landlord in Baltimore City or Baltimore County

Phone: 443-703-3053

Web: bit.ly/pbrc_md

Baltimore City District Court Self-Help Center

501 E Fayette St. 3rd Floor Monday-Friday 8:30 am-4:30 pm

-The walk in center has an attorney who can assist you in filing rent escrow, check if there is any failure to pay rent judgments against you, and verify if your landlord has the right to file against you. PLEASE KEEP IN MIND THE ATTORNEY IN THE WALK-IN CENTER CAN'T REPRESENT YOU.