

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

EXPEDITED BILL 31-25: LANDLORD-TENANT RELATIONS – LANDLORD NOTICE REQUIREMENTS – EVICTIONS

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Expedited Bill 31-25 will have a positive impact on racial equity and social justice (RESJ) in the County. Black and Latinx renters would disproportionately benefit from extending the notice period for scheduled evictions.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF EXPEDITED BILL 31-25

As explained by the Department of Housing and Community Affairs (DHCA), “[e]viction is the court ordered removal of a tenant and the tenant’s personal belongings from a rental property.” The eviction process requires landlords to take several steps before removing a tenant. This includes filing an eviction lawsuit in court, winning the lawsuit against a tenant, and obtaining a warrant for a sheriff to complete the eviction. In Maryland, a landlord can seek to evict a tenant for three reasons:³

- Failure to pay rent when a tenant’s rent is overdue;
- Breach of lease when a tenant violates a policy in the lease; and
- Holding over when a tenant does not leave a property by the vacate date given by the landlord or tenant.

As of October 1, 2025, state law requires landlords statewide to provide at least 6 days’ written advance notice for evictions. The notice must be delivered by first-class mail, posted on the premises, and, if available, sent by email or text message. State law also gives local jurisdictions the option (but not the obligation) to increase this minimum period up to 14 days.^{4,5} Advance notice for evictions was not required prior to state law going into effect.

The purpose of Expedited Bill 31-25 is to raise the notice period for scheduled evictions in the County from 6 to 14 days. If enacted, the Bill would also:^{6,7}

- Require landlords to provide a copy of the eviction notice to DHCA; and
- Impose stricter penalties for noncompliance.

The Council introduced Expedited Bill 31-25 on October 7, 2025.

RESJ Impact Statement

Expedited Bill 31-25

EVICCTIONS AND RACIAL EQUITY

Housing instability, including eviction, has far reaching consequences for individuals, families and communities. As explained by the Network for Public Health Law in “The Public Health Implications of Housing Instability, Eviction, and Homelessness:”

“Housing instability is a public health crisis that causes and exacerbates health problems, erodes communities, and drives health inequities. Families grappling with housing uncertainty experience physical and mental health challenges, from elevated rates of childhood and chronic disease and mortality, to stress, depression, anxiety, and suicide. Those who lack stable housing are more likely to experience homelessness, unemployment, substance use, food insecurity, and violence. The ripple effects of housing instability extend far beyond individual households, making it difficult for residents to invest in their homes, relationships, and neighborhoods, thereby disrupting the fabric of entire communities.”⁸

Throughout the U.S., millions of renters face the threat of eviction every year. A nationwide study by the Eviction Lab found, on average, landlords file 3.6 million evictions annually.⁹ During the COVID-19 pandemic, eviction filings dropped to historic lows as governments enacted strong renter protections such as eviction moratoria and rental assistance programs.^{10,11} However, recent studies suggest eviction filings nationwide have returned to pre-pandemic levels as these protections have ended.¹² In the County, evictions were generally falling for many years, hitting their lowest point during the pandemic in FY21.¹³ Since then, evictions have been growing, with completed evictions increasing five-fold from 254 in FY21 to 1,362 in FY25 (Table A, Appendix).

Due to various racial inequities in housing and economic security – including housing discrimination, residential and occupational segregation, and the racial wealth divide –¹⁴ Black people across the U.S. are disproportionately impacted by evictions. An Eviction Lab study found, despite comprising 19 percent of all renters, Black renters accounted for over half of eviction filings nationwide. Eviction risk is especially high for Black children and families. Children face the highest eviction rates across all age groups, and at 26.7 percent, the eviction filing rate for Black renters with children under 18 in the home far surpasses the rate of all other racial and ethnic groups. Further, while poverty is a risk factor for housing instability and eviction, racial disparities in evictions persist regardless of income. Across income levels, eviction rates for Black renters were at least two times the rate of White renters.¹⁵

In the County, evictions are not tracked by race and ethnicity. However, other indicators of housing instability and eviction risk suggest Black community members are most impacted by evictions. For instance:

- A 2023 Council Fellow analysis found Black community members were overrepresented among renters in the County’s eviction hot spots;¹⁶
- While Black community members account for 18 percent of the County’s population, they accounted for 45 percent of renters who received COVID-19 emergency rental assistance;¹⁷ and
- In 2023, Black community members respectively comprised 60 percent and 73 percent of individuals and families experiencing homelessness in the County.¹⁸

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 31-25 on RESJ in the County, OLO recommends the consideration of two related questions:

RESJ Impact Statement

Expedited Bill 31-25

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

OLO identified the following groups who would be impacted by Bill 31-25:

- **Tenants** would benefit from increased notice to have more time to prepare for scheduled evictions. This could give them more time to make arrangements to prevent the eviction (by for example, obtaining assistance to pay unpaid rent and other costs from the eviction judgement) or to relocate following the eviction. As shown in Table B (Appendix), Black and Latinx households are overrepresented among renter households. Conversely, White and Asian households are underrepresented among renter households, while Native American and Pacific Islander households are proportionately represented. As previously noted, Black community members are disproportionately impacted by evictions. While extending the notice period would disproportionately benefit Black and Latinx renters, it does not address underlying factors that drive racial disparities in evictions.
- **Landlords** would be burdened by stricter notice requirements for scheduled evictions. As shown in Table C (Appendix), White community members are largely overrepresented among landlords and other real estate business owners in the County.

OLO anticipates Bill 31-25 will have a positive impact on RESJ in the County. Black and Latinx renters would disproportionately benefit from extending the notice period for scheduled evictions.

RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.¹⁹ OLO anticipates Expedited Bill 31-25 will have a positive impact on RESJ in the County. As such, OLO does not offer recommended amendments.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

APPENDIX

Table A. Eviction Warrants Filed and Evictions Completed, Montgomery County²⁰

Fiscal Year	Eviction Warrants Filed	Evictions Completed
2021	2,573	254
2022	2,765	532
2023	7,135	808
2024	8,230	979
2025	12,694	1,362

Source: Data from Office of Sheriff in "The Need for Financial Support Post Pandemic: Eviction Prevention and Guaranteed Income Programs," Figure 2 on pg. 10 and OLO analysis of District Court of Maryland Evictions Case Data, Maryland Open Data.

RESJ Impact Statement

Expedited Bill 31-25

Table B. Renter Occupied Households by Race and Ethnicity, Montgomery County

Race or ethnicity ²¹	Percent of Renter-Occupied Households	Percent of All Households
Asian	11.5	14.4
Black	30.7	18.7
Native American	0.4	0.4
Pacific Islander	0.1	0.1
White	37.2	50.9
Latinx	19.9	15.2

Source: Table 2502, 2023 American Community Survey 5-Year Estimates, Census Bureau.

Table C. Real Estate and Rental and Leasing Employer Firms by Race and Ethnicity, Montgomery County²²

Race or ethnicity	Percent of Real Estate and Rental and Leasing Business Owners (NAICS 53)	Percent of All Sectors (NAICS 00)	Percent of Adult Population
Asian	12.4	21.8	16.0
Black	5.1	7.6	18.3
Native American	-	1.4	0.5
Pacific Islander	-	0.1	0.0
White	82.3	69.1	46.6
Latinx	3.9	10.0	18.7

Source: OLO analysis of [Table AB2200CSA01, 2022 Annual Business Survey](#) and [Table S2101, 2023 American Community Survey 5-Year Estimates](#), Census Bureau.

¹ Definition of racial equity and social justice adopted from [Marlysa Gamblin et al., “Applying Racial Equity to U.S. Federal Nutrition Programs,” Bread for the World](#) and [Racial Equity Tools](#).

² Ibid.

³ [“Evictions,” Department of Housing and Community Affairs](#). Note, this page has not yet been updated to reflect new requirements for eviction notices per state law.

⁴ [House Bill 767, Maryland General Assembly, 2025 Regular Session](#).

⁵ [Introduction Staff Report for Expedited Bill 31-25, Montgomery County Council, Introduced October 7, 2025](#).

⁶ Ibid

⁷ Note: While changes related to the delivery and form of notice are required under state law, the decision to extend the notice to 14 days and add County notification and penalties are local choices reflecting County policy priorities.

⁸ [“The Public Health Implications of Housing Instability, Eviction, and Homelessness,” Network for Public Health Law, November 30, 2024](#).

⁹ [Juan Pablo Garnham, et al., “New Data Release Shows that 3.6 Million Eviction Cases were Filed in the United States in 2018,” Eviction Lab, July 11, 2022](#).

¹⁰ [Camila Vallejo, “2022: The Year We Refused to Go Back to Normal,” Eviction Lab, February 7, 2023](#).

¹¹ [Alayna Calabro, “Eviction Protections During the COVID-19 Pandemic,” National Low-Income Housing Coalition, 2022](#).

¹² [Sara Johnson, et al., “Preliminary Analysis: Eviction Filing Patterns in 2024,” Eviction Lab, April 24, 2025](#).

¹³ [Isaac Matthias, Preventing Evictions in Montgomery County, Montgomery County Council, August 2022, pgs. 12-13](#).

¹⁴ [Elaine Bonner-Tompkins, Janmarie Peña, and Elsabett Tesfaye, OLO Report 2024-11, RESJ Policy Handbook: Land Use, Housing, and Economic Development, Office of Legislative Oversight, June 18, 2024](#).

¹⁵ [Nick Graetz, et al., “Who is Evicted in America,” Eviction Lab, October 3, 2023](#).

RESJ Impact Statement

Expedited Bill 31-25

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- ¹⁶ [Diana Carrillo, “Expanding COVID-19 Eviction Diversion Strategies: Centering Black, Indigenous, and People of Color in Outreach,” Montgomery County Council, August 11, 2023, pg. 17.](#)
- ¹⁷ [DHHS Pulse Report: COVID-19 Impact and Recovery, Department of Health and Human Services, May 17, 2023.](#)
- ¹⁸ [RESJIS for Bill 8-24, Office of Legislative Oversight, March 27, 2024, pg. 3.](#)
- ¹⁹ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council.](#)
- ²⁰ Data from FY21 to FY24 compiled from Figure 2 in [Tyler Benson, “The Need for Financial Support Post-Pandemic: Eviction Prevention and Guaranteed Income Programs,” Montgomery County Council, August 2024, pg. 10.](#) Data for FY25 compiled from OLO analysis of data as of September 30, 2025 in [District Court of Maryland Eviction Case Data, Maryland Open Data Portal.](#)
- ²¹ For Tables B and C, race is inclusive of Latinx origin. Estimates for Native American and Pacific Islander community members are not available for some data points.
- ²² Margins of error for data points in Table C may be large.