

# For now, CDC moratorium gives tenants buffer if they're behind on rent

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## Bethesda **BEAT**

2021 | Courts

### Pandemic's effects keep courtroom busier with landlord-tenant cases

By Steve Bohnel Follow @Steve\_Bohnel August 26, 2021 | 10:08 am August 26, 2021

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Landlord-tenant cases held in Montgomery County District Court in Rockville have increased during the pandemic, attorneys say.

Photo By Steve Bohnel

Gabriela Aleman had a legal defense in her rent dispute, but she was still worried about her day in court.

Aleman, who lives in Gaithersburg, is more than \$2,700 behind on rent. And it wasn't until about 10 minutes before her turn in courtroom 411 at Montgomery County District Court in Rockville that she realized attorneys at Maryland Legal Aid were there to help tenants like her.

She was scared. She had been out of work as a nanny since near the start of the pandemic. Her fiancé had seen his hours reduced as a radio producer at La Nueva 87.7 FM, a Latino radio station based in Rockville. On top of that, they are caring for his brother, who is disabled.

But thanks to recent decisions by the federal government and the Centers for Disease Control and Prevention issuing an extension on its eviction moratorium based on coronavirus case numbers, Aleman is covered for now.

In the wake of Maryland's eviction moratorium expiring this month, the number of disputes going to rent court is rising, observers say. A day at Montgomery County District Court showed renters working out, in real time, how they would get support to present their cases, even as cases were dismissed or decided against no-show tenants.

Maryland Legal Aid was a huge help on Wednesday, Aleman said.

"People should know that when they come here, they're not going to get evicted right away. ... They're not going to go to jail. They're actually going to help you not get evicted," Aleman said. "So, people should know that instead of not showing up."

Before she heard dozens of landlord-tenant cases Wednesday morning, District Court Judge Amy J. Bills provided a quick description of how the landlord-tenant cases work.

First, an attorney representing the landlord tells the court how much a tenant owes in rent.

Then, tenants — many helped by staff attorneys for Maryland Legal Aid on Wednesday — can state whether that amount is accurate.

They can also make the case they've filed for protection under the CDC moratorium, which defers a decision until the moratorium ends. They can also try to prove they have paid or will pay the back rent through receipts or other paperwork.

For well over a dozen cases Wednesday, the tenant wasn't present. That mostly led to one of two outcomes: The landlord winning the case or dismissing it, as back rent was paid or another agreement was reached.

Lenny Tober, an attorney who has worked for landlords across the state on rent cases, was in District Court on Wednesday. None of the tenants in his cases showed. Some cases ended in dismissals; others ended in judgments.

Tober said the number of rent cases has increased during the pandemic. He suspects a lot of tenants don't show up in court because they're afraid of the process, or they've given up and moved out.

Even with rental assistance from the county, some immigrants distrust any type of government help, given their experience in their home country, he said.

When the CDC moratorium lifts, there's going to be a bigger increase in rent cases, Tober said. Then, landlords will have to file lawsuits to collect the money, he added.

"There's going to be a ton of lawsuits," Tober said. "Because the landlords who didn't get money from the government through the tenants, they want to get that money back. Very few of them, I believe, are going to write off [losses]."

Peggy Ramin, an attorney at Maryland Legal Aid, agreed with Tober that the caseload for the courts has greatly increased during the pandemic. As of Wednesday, the CDC moratorium was in effect through early October, she said. The state's eviction moratorium, imposed by Gov. Larry Hogan, expired on Aug. 15.

Ramin agreed with observers' concerns that if more isn't done to help the courts and tenants, the county and country could face a "wave of evictions."

There are many reasons tenants might not show up for court, she said: child care responsibilities, language barriers, job searching or the eviction notice didn't arrive, among others.

"It's hard to say why people might not show up," Ramin said. "But I think there's definitely a lapse in communication. Sometimes that means that people just don't understand what receiving [an eviction notice] really means."

Aleman, the tenant who avoided eviction Wednesday, said it's been difficult looking for work. But she's glad for state unemployment insurance payments and the moratorium, which are keeping her family financially afloat.

She urged people facing eviction to come to the courthouse, where there is legal help, as well as county employees providing information on a county rental assistance program.

"This is very important that they have it here in the courtroom, because when [tenants] come to the courtroom, people get scared. ... People are just in their own world right now because of COVID. ... It's information that people should know," Aleman said.

*Steve Bohnel can be reached at [steve.bohnel@bethesdamagazine.com](mailto:steve.bohnel@bethesdamagazine.com)*