



July 18, 2017

### Court of Appeals shoots down harassing debt collection practices

Say you're struggling to make ends meet, and you can't pay your condo fee until your paycheck arrives. Or maybe the condo association says you're behind on fees, but you're sure you paid. In situations like these, should a late payment force you to walk a mile to get home? On June 23, the Court of Appeals unanimously answered that question with a resounding, "No." In *Elvaton Towne Condominium v. Rose*, the Court held that condo associations cannot restrict a unit owner's access to common areas, such as parking spaces and a community pool, as a form of punishment for past-due condo fees, unless these types of debt-collection practices are explicitly provided for in the condominium's declaration. These tactics are designed to intimidate and generally affect low- to moderate-income unit owners disproportionately. The Court's decision put an end to harassing debt-collection practices employed by condominiums that infringe upon the property rights of condo owners. The Public Justice Center and the Consumer Law Group represented condo owners William and Dawn Rose in this case. [Read more about the Court's decision here.](#)

### Wave of legislation from DC to Nevada aims to ensure people have lawyers when basic needs are at stake

More Washington, DC, residents will have a lawyer by their side when facing eviction, thanks to new funding from the DC Council.



The Council approved \$4.5 million to support [B22-0024](#) (the Expanding Access to Justice Act of 2017) in June, which will provide expanded representation with an eye on moving toward a right to a lawyer in eviction cases in the future. And thanks to Nevada [SB 305](#), all children in Nevada now have a right to counsel in dependency and termination of parental rights cases (previously, it was up to the judge to decide whether to appoint counsel for a child).

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#### Welcome, Sosi!

We're happy to welcome Sosi Lepejian as a paralegal in our Workplace Justice Project. Sosi graduated from Bard College in 2017 with a degree in Human Rights and Middle Eastern Studies. Originally from California's Bay Area, Sosi was introduced to Baltimore through an internship with Bard High

These are just two of more than 60 bills touching on the right to a lawyer in basic needs civil cases across the country. Significant bills have also passed in Arkansas, Louisiana, Minnesota, and New Hampshire. The National Coalition for a Civil Right to Counsel, a project of the Public Justice Center, tracks this legislation and provides assistance as requested. [Read about these and other right to counsel bills on the NCCRC's website.](#)

### **Our Homes, Our Voices** Rally and press conference

Saturday, July 29  
11:30 am - 1:00 pm

McKeldin Square  
101 East Pratt Street  
Baltimore, MD



Hundreds of advocates, elected officials, and concerned citizens in Maryland are participating in the national Our Homes, Our Voices week of action from July 22-29 with a rally and press conference to bring attention to the affordable housing crisis in our community. Local advocates are coordinating this event with others across the country to call for a greater federal investment in affordable homes and community development. Advocates are concerned that Maryland will lose \$173 million in President Trump's current budget proposal, reducing or eliminating programs for people with disabilities, low income families and seniors.

The PJC's Matt Hill will bring the national conversation home, highlighting the need for rent court reform to stop the constant churn of evictions in Baltimore. Each year, approximately 7,000 families are evicted in Baltimore, making people homeless, preventing children from getting a stable education, and pushing people into poverty. Matt will discuss potential solutions, including the right to an attorney in eviction cases, requiring landlords to pass a yearly health and safety inspection at the property before they evict anyone, and increasing funds to help families avoid eviction. Join Matt and other advocates on June 29 for the Our Homes, Our Voices rally! [RSVP on Facebook here.](#)

School Early College Baltimore during the summer of 2016. [Learn more about Sosi here.](#)

### **Bail reform takes a step forward as new Court of Appeals rule goes into effect**

Defendants can't be held in jail simply because they're too poor to afford bail, according to a new rule from the Court of Appeals of Maryland that went into effect on July 1. It's a good start for pretrial justice reform. To learn more about the new rule and what other reforms are needed, check out this [op-ed](#) from our partners in the Coalition for a Safe and Just Maryland, Caryn York (Job Opportunities Task Force) and Larry Stafford (Progressive Maryland). The Public Justice Center's Prisoners' Rights Project participates in Coalition reform efforts.

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