

Good afternoon members of the Committee. My name is Javonne Rich and I'm speaking as the policy & advocacy Director for the ACLU of Delaware today, in support of SS 1 for SB 101.

Too often, Delawareans are faced with situations of eviction that threaten their homes, their families, and their well-being. This is especially true for Black renters who have evictions filed against them at nearly twice the rate of white renters.

Any defenses that are available to a tenant are virtually impossible to prove without the aid of a lawyer. When tenants are represented by counsel, they are twice as likely to remain housed. Delaware has an opportunity to level the playing field by securing the right to counsel for eviction defense statewide.

The pre-eviction diversion program will help resolve many disputes quickly and amicably. It will help connect tenants and landlords with the rental assistance program and prevent a record that could unfairly lockout families from future housing opportunities.

We know that most landlords want to do the right thing and that they also need to protect their own property and investments. This bill will benefit landlords — not punish them. When tenants are represented, resolutions are more likely to be completed out of court, resolutions are fairer to both parties, agreements are more likely to be upheld, and landlords are more likely to receive amounts due without costly collection efforts.

In a state that hit 18,000 evictions in a year prior to the pandemic, SB 101 does not give an unfair advantage to tenants. The goal of this legislation is to simply level the playing field by bridging the gap between the 86% of landlords who have representation in eviction proceedings and the mere 2% of tenants who have the benefit of their own representation. Eviction proceedings are hard to navigate, and no one should have to go through that alone.

Thank you