

# SENATE BILL 1059

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By: **Senator Raskin**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 7, 2013

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Application Fees – Prospective Tenants Who Receive**  
3 **Housing Assistance**

4 FOR the purpose of prohibiting a landlord from requesting or accepting an application  
5 fee from a prospective tenant who intends to use, for the payment of rent, a  
6 form of government housing assistance that the landlord will not accept;  
7 requiring a landlord who violates this Act to refund the application fee to the  
8 prospective tenant; establishing that a landlord who violates this Act is liable  
9 for a certain amount of damages; and generally relating to application fees from  
10 prospective tenants who receive income from any government grant, loan, or  
11 assistance program.

12 BY adding to

13 Article – Real Property

14 Section 8–213.1

15 Annotated Code of Maryland

16 (2010 Replacement Volume and 2012 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Real Property**

20 **8–213.1.**

21 **(A) A LANDLORD MAY NOT REQUEST OR ACCEPT AN APPLICATION FEE**  
22 **FROM A PROSPECTIVE TENANT WHO INTENDS TO USE, FOR THE PAYMENT OF**  
23 **RENT, HOUSING ASSISTANCE FROM ANY GOVERNMENT GRANT, LOAN, OR**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ASSISTANCE PROGRAM, INCLUDING LOW-INCOME HOUSING ASSISTANCE  
2 CERTIFICATES AND VOUCHERS ISSUED UNDER THE UNITED STATES HOUSING  
3 ACT OF 1937, THAT IS PROVIDED IN A FORM THAT THE LANDLORD WILL NOT  
4 ACCEPT.

5 (B) A LANDLORD WHO VIOLATES THIS SECTION:

6 (1) SHALL REFUND THE APPLICATION FEE TO THE PROSPECTIVE  
7 TENANT; AND

8 (2) IS LIABLE TO THE PROSPECTIVE TENANT FOR DAMAGES  
9 EQUAL TO THREE TIMES THE AMOUNT OF THE APPLICATION FEE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2013.