



House Bill 477: Landlord and Tenant - Residential Leases and Holdover Tenancies – Local Just Cause Termination Provisions

Testimony of Maryland Centers for Independent Living

SUPPORT

House Environment and Transportation Committee, February 13, 2024

Centers for Independent Living (CIL) are created by federal law. CILs work to enhance civil rights and community services for people with disabilities. There are seven CILs throughout Maryland, operated by and for people with disabilities. At least 51% of CIL staff and Board are people with disabilities. CILs provide Information and Referral, Advocacy, Peer Support, Independent Living Skills training, and Transition Services to individuals in their communities. Housing services are provided by CILs and are a critical element of independent living.

HB 477 Impacts People with Disabilities: When the Americans with Disabilities Act was passed in 1990, Congress recognized that housing discrimination against individuals with disabilities was a serious and pervasive social problem.¹ The recent “State Disabilities Plan”, by the Maryland Department of Disabilities identifies the need for “Improved availability of integrated, affordable, and accessible housing options for people with disabilities and their households.”² CILs regularly engage people with disabilities who struggle to find housing or to remain in their homes. CIL consumer surveys consistently identify housing as a top need - corroborating data identifying Maryland’s rental crisis.

Loss of Housing: Imagine that your household includes children with disabilities, and you receive notice that your lease will not be renewed. Forced with relocation, you face the prospect of losing your local health care provider, your children’s home school, possibly home health care services or supports – all services that are not readily replaceable as they are uniquely important and individualized. Then add the stress of a tight rental market made worse for families with low incomes- of whom many are Marylanders with disabilities.³ Losing one’s home for no reason or

¹ 42 U.S.C. §12101 (a).

² Maryland Department of Disabilities, “STATE DISABILITIES PLAN 2020-2023”. P 12 (available at [MDOD StateDisabilitiesPlan_062321_COPY\(1\).pdf \(maryland.gov\)](https://www.maryland.gov/MDOD/StateDisabilitiesPlan_062321_COPY(1).pdf)).

³ 2022 Maryland Housing Needs Assessment and 10-Year Strategic Plan, p. 30. Maryland Housing Needs Assessment & 10-Year Strategic Plan, A shared framework & toolbox for the Maryland Department of

for reason based on bias, poses catastrophe for households with a family member with a disability.

Housing Discrimination is Insidious. A landlord may not wish to have a renter family that includes a person who is blind or who uses a wheelchair or who has an intellectual or behavioral health disability. The landlord cannot terminate a lease upon learning that a family member has a disability or has become disabled, as that would violate federal discrimination laws. However, when a landlord can terminate a lease for no stated or just reason, the family has little recourse. It is unlikely that the family will pursue or prevail on a discrimination claim even if the termination is discriminatory. And make no mistake, disability discrimination happens. According to a recent report by the National Fair Housing Alliance, discrimination based on disability accounts for more than half of fair housing complaints filed in 2021.⁴ That data mirrors that reported by the U.S. Department of Housing and Urban Development, which also found more than half of reported housing discrimination complaints allege disability discrimination, followed by complaints alleging race discrimination.⁵

Support. HB477 requires localities to adopt just cause eviction measures. Passage of this bill will result in increased housing stability and decreased housing discrimination for people with disabilities. Protecting the housing and civil rights of Marylanders with disabilities benefits all Marylanders.

The Maryland Independent Network strongly **supports** HB 477 and urges a **favorable** report.

We appreciate the consideration of these comments.

For further information contact:

Imani Graham
The IMAGE Center
410-982-6311
igraham@imagemd.org

or Chris Kelter, Executive Director
Accessible Resources for Independence
443-713-3914
ckelter@airnow.org



Housing and Community Development and local partners. Prepared by the National Center for Smart Growth and Enterprise Community Partners, Inc. p.30.

See, also, "Housing Needs by State", National Low Income Housing Coalition, 2023 (available at: [Housing Needs By State | National Low Income Housing Coalition \(nlihc.org\)](https://www.nlihc.org/publications/housing-needs-by-state)).

⁴ "2022 Fair Housing Trends Report", National Fair Housing Alliance, August 2022. Available at [2022-Fair-Housing-Trends-Report.pdf \(nationalfairhousing.org\)](https://www.nationalfairhousing.org/2022-fair-housing-trends-report)

⁵ State of Fair Housing, Annual Report to Congress, FY 2022, U.S. Department of Housing and Urban Development (available at [FHEO Annual Report FY 2022.pdf \(hud.gov\)](https://www.hud.gov/press/20220301-fair-housing-report))