



Montgomery County

Office of Intergovernmental Relations

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SB 635

DATE: March 6, 2024

SPONSOR: Senator West

ASSIGNED TO: Judicial Proceedings

CONTACT PERSON: Leslie Frey

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POSITION: FAVORABLE (Department of Housing and Community Affairs)

Landlords and Prospective Tenants - Residential Leases - Criminal History Review (Maryland Fair Chance in Housing Act)

Senate Bill 635 reduces from seven to three the number of years of criminal history that are reviewed in a reusable tenant screening report. The bill also prohibits a landlord from requiring a prospective tenant to disclose any criminal history in an application for a lease, with an exception permitting landlords to require a prospective tenant to disclose whether the individual is required to register as a sex offender under State or federal law. The bill also closes loopholes by prohibiting a landlord from reviewing or requesting a third party to review more than the previous three years of any criminal history of a prospective tenant and prohibiting a landlord from publicizing any statement discouraging a prospective tenant with a criminal history from applying for a lease. Finally, Senate Bill 635 stipulates that a landlord that denies the lease application of a prospective tenant must provide the individual with a physical document stating with particularity each reason for the denial.

Montgomery County Department of Housing and Community Affairs supports Senate Bill 635 because it provides a reasonable balance of landlord and tenant interests by seeking to meet the housing needs of citizens who have criminal convictions while providing protections for current residents and landlords. Maryland benefits economically and sociologically when citizens have opportunities to live in communities of their choice as it allows them to live in proximity to employment, family, and other amenities which should not be denied without sufficient evidence of risk or impact on the property and residents. Montgomery County Department of Housing and Community Affairs respectfully asks the committee to issue a favorable report on Senate Bill 635.