

DATE: March 7, 2024

BILL NO.: Senate Bill 635

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

COMMITTEE: Senate Judicial Proceedings Committee

Letter of Support

Description of Bill:

Senate Bill 635 lowers, from 7 years to 3 years, the time a landlord may look back at a prospective tenant’s criminal history in reusable tenant screening reports, prohibits landlords from requiring prospective tenants to disclose any criminal history other than whether the prospective tenant is required to register as a sex offender, and requires landlords who deny lease applications to provide the prospective tenant with a written explanation of the particular reason or reasons for the denial.

Background and Analysis:

Currently, individuals with criminal records face significant, and frequently unnecessary, barriers to finding and securing safe housing. Numerous studies have shown that housing insecurity is closely correlated with recidivism, especially among formerly incarcerated individuals. Safe and affordable housing allows returning citizens to establish the foundation necessary to secure employment and pursue educational opportunities. Such individuals who are unable to secure housing upon release are often left with the choice of asking a friend or relative for a temporary place to stay, or remaining unhoused, which carries much higher risk of recidivism and re-arrest. Individuals who have had contact with the criminal justice system, and are affected by these barriers, are disproportionately Black and low-income.

Senate Bill 635 helps lower these barriers by limiting the circumstances under which a landlord may use a prospective tenant’s criminal history to deny them housing – for which they would otherwise qualify – while still providing adequate protections for landlords and other tenants. A true “second chance” includes a safe and stable place to live, and Senate Bill 635 will help Marylanders with criminal histories get that chance.

DHCD Position:

The Department of Housing and Community Development respectfully requests a **favorable** report on SB 635.