

Robin Carter
Chairperson, Board of Commissioners

Janet Abrahams
President | Chief Executive Officer



February 27, 2024

TO: Members of the Judicial Proceedings Committee
FROM: Janet Abrahams, HABC President & CEO
RE: Senate Bill 635 - Landlords and Prospective Tenants - Residential Leases - Criminal History Review (Maryland Fair Chance in Housing Act)
POSITION: Support with Amendments

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Housing Authority of Baltimore City (HABC) supports with amendments SB 635.

SB 635 - Landlords and Prospective Tenants - Residential Leases - Criminal History Review (Maryland Fair Chance in Housing Act). This bill alters the number of years of criminal history, from 7 years to 3 years, that are reviewed in a tenant screening report; and requires a landlord that denies the lease application of a prospective tenant to provide the individual with a physical document stating with particularity each reason for the denial. This bill also prohibits a landlord from publishing any oral or written statement that would reasonably discourage a prospective tenant with a criminal history from applying for a lease.

The Housing Authority of Baltimore City (HABC) is the country's 5th largest public housing authority and Baltimore City's largest provider of affordable housing opportunities. HABC serves over 44,000 of Baltimore City's low-income individuals through its Public Housing and Housing Choice Voucher programs. HABC's public housing inventory currently consists of just under 6,000 units located at various developments and scattered sites throughout the city. HABC is federally funded and regulated by the U.S. Department of Housing and Urban Development (HUD). HABC is subject to federal laws and regulations that pertain to the operation of its housing programs.

Federal statutes and regulations require Public Housing Authorities (PHAs) to adopt certain governing and operating policies for the Public Housing Program. PHAs communicate those policies, rules, and requirements concerning their operations, programs, and services through the Admissions and Continued Occupancy Policy (ACOP). The ACOP is generally the principal document that describes the PHA's policies with respect to key topics such as eligibility, tenant selection, admissions preferences, waitlist procedures, rent determination, utilities, transfers, occupancy guidelines, grievance procedures, pet ownership, and the community service and self-sufficiency requirement. HABC also has a written

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Administrative Plan that establishes local policies for administration of the Housing Choice Voucher Program in accordance with HUD requirements. Both plans are published on the website and have information about ineligibility due to criminal history.

HABC currently follows the three year lookback period proposed in this bill. However, Section 8-220 (C) states that “a landlord may not publish or cause to be published any oral or written statement that would reasonably discourage a prospective tenant with a criminal history from applying for a lease.” As HABC publishes our ACOP and Administrative Plan, both of which contain information about ineligibility due to criminal history, we respectfully request that clarifying language is added to the bill stating that a landlord does not violate this section by publishing its admissions policies that comply with applicable law.

Respectfully submitted.

Janet Abrahams, HABC President & CEO