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THE MARYLAND HOUSE OF DELEGATES
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**Fair Housing and Housing Discrimination - Regulations, Intent, and Discriminatory Effect - HB
1239**

Testimony of Maryland State Delegate Deni Taveras

Thank you, Chair Smith, Vice Chair Waldstreicher, and esteemed committee members. I am here to request your favorable report on HB 1239, Fair Housing and Housing Discrimination - Regulations, Intent, and Discriminatory Effect.

Overt discrimination has decreased, but its legacy persists. This bill does not change existing fair housing protections but ensures that Maryland upholds and enforces federal fair housing standards at the state level, preventing any potential rollback from the federal level.

Disparate impact theory is a critical tool in fair housing enforcement, allowing claims to be brought against policies that may appear neutral on their face but result in disproportionate harm to protected groups. This legal standard, upheld by the U.S. Supreme Court case - *Texas Department of Housing and Community Affairs v. Inclusive Communities Project (2015)*, ensures that discriminatory outcomes can be challenged even when there is no overt intent to discriminate.

The U.S. Department of Housing and Urban Development (HUD) has historically used disparate impact analysis to enforce the Fair Housing Act, holding landlords, financial institutions, and local governments accountable for policies that lead to housing discrimination. However, federal protections against adversity have come under increasing threat due to Project 2025 and this bill was created as an additional layer of security. This agenda explicitly calls for dismantling HUD's ability to enforce disparate impact claims, weakening fair housing protections across the country.

Currently, most housing discrimination cases are investigated and adjudicated at the federal level, meaning Marylanders must rely on this administration's commitment to civil rights enforcement. However, the current administration has proven to be unstable. Given the uncertainty surrounding federal protections, it is imperative that Maryland establishes its own legal framework to ensure housing justice is protected regardless of federal policy changes.

HB 1239 does not introduce new fair housing laws; it preserves and strengthens the legal protections already in place to ensure Maryland remains aligned with existing federal law. The bill ensures that constituents remain safe by preserving legal standards at the state level, allowing cases to be processed through state courts rather than relying on federal jurisdiction. This proactive measure strengthens legal protections and provides an added layer of security to prevent potential harm.

In closing, I ask this esteemed committee for your favorable report on HB 1239.