



Montgomery County

Office of Intergovernmental Relations

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HB 392

DATE: February 4, 2025

SPONSOR: Delegates Bartlett, Hill, Simmons, Stewart, and Young

ASSIGNED TO: Judiciary

CONTACT PERSON: Leslie Frey

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POSITION: FAVORABLE (Department of Health and Human Services)

Evidence – Interception of Oral Communications - Fair Housing Testing

House Bill 392 makes it lawful for a person to intercept an oral communication if the person is working as a fair housing tester for a fair housing testing program operated by the federal, state, or local government or a non-profit civil rights organization, so long as the person is party to the communication and the interception is made for the purpose of obtaining evidence of a fair housing violation under federal, state, or local law.

The Montgomery County Department of Health and Human Services (MCDHHS) supports House Bill 392 as it is a commonsense action to ensure that those working to ensure fair housing practices are followed can do their jobs and document wrongdoing by landlords. Currently, it is very difficult to collect evidence of landlords who violate fair housing laws and/or source of income discrimination laws that is admissible in court proceedings. MCDHHS receives numerous reports of landlords telling prospective renters that they do not accept housing vouchers, however, the prospective renters do not have this evidence of discrimination. Being able to record conversations between local governments administering fair housing programs and acting as fair housing testers and landlords in order to obtain evidence of discrimination would help the County enforce fair housing and source of income laws that protect renters.

We respectfully urge the committee to issue a favorable report on House Bill 392.