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HB 0392

February 4, 2025

TO: Members of the Judiciary Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: House Bill HB 0392 – Evidence - Interception of Oral Communications - Fair Housing Testing

POSITION: Support

Chair Clippinger, Vice Chair Bartlett and Members of the Committee, please be advised that the Baltimore City Administration (BCA) supports House Bill (HB) 0392.

Baltimore City is often referred to as the “home of redlining” because one of the nation’s first discriminatory housing policies, Ordinance 610, was passed by city government in December 1910. Baltimore’s redlining model was implemented nationally and led to years of discriminatory practices. Tactics such as blockbusting and steering proliferated in the city and across the nation. Baltimore, and by extent, Maryland, led the nation in one of its most shameful chapters of history.

However, Baltimore is also home to one of the oldest civil rights enforcement agencies in the country, the Community Relations Commission (CRC), housed in the Baltimore City Office of Equity and Civil Rights (OECR). CRC staff investigates individual discrimination complaints in the five areas of Baltimore City life, including housing, and enforces fair housing laws through Article IV of the Baltimore City Code.

Baltimore City’s Department of Housing and Community Development (DHCD) Chairs the Baltimore Regional Fair Housing Group, which is a collaboration among the Baltimore metropolitan area’s HUD entitlement jurisdictions (Cities of Baltimore and Annapolis, along with Anne Arundel, Baltimore, Harford, and Howard Counties) and the public housing agencies in those jurisdictions. We work together regionally to carry out our duty to affirmatively further fair housing by working on regional fair housing planning and implementation issues. This legislation aligns with the efforts of the Work Group. DHCD also funds fair housing testing through Community Development Block Grants (CDBG).

The purpose of fair housing laws is to guarantee people a choice in where they live. One of the best tools in stopping housing discrimination is conducting fair housing testing, which allows

civil rights enforcement agencies to perform real time evaluations of fair housing compliance through prompt review and assessment of a housing provider's policies and practices. This keeps housing providers accountable and offers an opportunity to correct discriminatory practices and behavior.

While fair housing testers diligently endeavor to take accurate notes during a housing interaction, written records can be challenged or denied by bad actors. Testers across the nation rely on audio recordings as key evidence in their investigations. Furthermore, best practices dictate that testers record their interactions through the use of concealed recorders (Freiberg, 2009). Audio recordings provide direct evidence of a violation and can even further enforcement action by compelling bad actors to correct their behaviors before further action is needed.

For these reasons, the BCA respectfully request a **favorable** report on HB 0392.