
By: Delegates Hurson, Rawlings, Opara, and Bobo

Introduced and read first time: January 31, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Housing - Discrimination Based on Source of Income - Prohibited**

3 FOR the purpose of prohibiting discriminatory practices in residential housing based on
4 source of income; defining "source of income"; and generally relating to prohibiting
5 discriminatory practices in residential housing based on source of income.

6 BY repealing and reenacting, with amendments,
7 Article 49B - Human Relations Commission
8 Section 19(a), 20(t), 22(a)(1) through (5), and 23
9 Annotated Code of Maryland
10 (1994 Replacement Volume and 1996 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article 49B - Human Relations Commission
13 Section 20(a)
14 Annotated Code of Maryland
15 (1994 Replacement Volume and 1996 Supplement)

16 BY adding to
17 Article 49B - Human Relations Commission
18 Section 20(u) and 21(k)
19 Annotated Code of Maryland
20 (1994 Replacement Volume and 1996 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article 49B - Human Relations Commission**

24 19.

25 (a) It is the policy of the State of Maryland to provide for fair housing throughout
26 the State of Maryland, to all its citizens, regardless of race, color, religion, sex, familial
27 status, national origin, marital status, [or] handicap, OR SOURCE OF INCOME; and to
28 that end to prohibit discriminatory practices with respect to residential housing by any

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1 person or group of persons, in order that the peace, health, safety, prosperity and general
2 welfare of all the inhabitants of the State may be protected and insured.

3 20.

4 (a) In this subtitle the following words have the meanings indicated.

5 (t) "Restrictive covenants" means any specification limiting the transfer, rental,
6 or lease of any dwelling because of race, color, religion, marital status, sex, familial status,
7 handicap, [or] national origin, OR SOURCE OF INCOME.

8 (U) "SOURCE OF INCOME" MEANS ANY LAWFUL SOURCE OF MONEY PAID
9 DIRECTLY OR INDIRECTLY TO A RENTER OR BUYER OF HOUSING, INCLUDING:

10 (1) ANY LAWFUL PROFESSION OR OCCUPATION;

11 (2) ANY GOVERNMENT OR PRIVATE ASSISTANCE , GRANT, OR LOAN
12 PROGRAM;

13 (3) ANY GIFT, INHERITANCE, PENSION, ANNUITY, ALIMONY, CHILD
14 SUPPORT, OR OTHER CONSIDERATION OR BENEFIT; OR

15 (4) ANY SALE OR PLEDGE OF PROPERTY OR INTEREST IN PROPERTY.

16 21.

17 (K) (1) THE PROHIBITIONS IN THIS SUBTITLE AGAINST DISCRIMINATION
18 BECAUSE OF SOURCE OF INCOME DO NOT PROHIBIT A PERSON FROM DETERMINING
19 THE ABILITY OF A POTENTIAL BUYER OR RENTER TO PAY A PURCHASE PRICE OR
20 PAY RENT BY:

21 (I) VERIFYING, IN A COMMERCIALY REASONABLE MANNER, THE
22 SOURCE AND AMOUNT OF INCOME OF THE POTENTIAL BUYER OR RENTER; OR

23 (II) EVALUATING, IN A COMMERCIALY REASONABLE MANNER,
24 THE STABILITY, SECURITY, AND CREDITWORTHINESS OF THE POTENTIAL BUYER OR
25 RENTER OR ANY SOURCE OF INCOME OF THE POTENTIAL BUYER OR RENTER.

26 (2) THE PROHIBITIONS IN THIS SUBTITLE AGAINST DISCRIMINATION
27 BECAUSE OF SOURCE OF INCOME DO NOT PREVENT A PERSON FROM REFUSING TO
28 CONSIDER INCOME DERIVED FROM ANY CRIMINAL ACTIVITY.

29 22.

30 (a) Except as provided in § 21 of this subtitle, it is unlawful:

31 (1) To refuse to sell or rent after the making of a bona fide offer, or to
32 refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a
33 dwelling to any person because of race, color, religion, sex, handicap, marital status,
34 familial status, [or] national origin, OR SOURCE OF INCOME;

35 (2) To discriminate against any person in the terms, conditions, or privileges
36 of sale or rental of a dwelling, or in the provision of services or facilities in connection
37 with the sale or rental of a dwelling, because of race, color, religion, sex, handicap,
38 marital status, familial status, [or] national origin, OR SOURCE OF INCOME;

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1 (3) To make, print, or publish, or cause to be made, printed, or published
2 any notice, statement, or advertisement, with respect to the sale or rental of a dwelling
3 that indicates any preference, limitation, or discrimination based on race, color, religion,
4 sex, handicap, marital status, familial status, [or] national origin, OR SOURCE OF
5 INCOME, or an intention to make any preference, limitation, or discrimination;

6 (4) To represent to any person because of race, color, religion, sex,
7 handicap, marital status, familial status, [or] national origin, OR SOURCE OF INCOME
8 that any dwelling is not available for inspection, sale, or rental when the dwelling is in fact
9 available;

10 (5) For profit, to induce or attempt to induce any person to sell or rent any
11 dwelling by representations regarding the entry or prospective entry into the
12 neighborhood of a person or persons of a particular race, color, religion, sex, handicap,
13 marital status, familial status, [or] national origin, OR SOURCE OF INCOME;

14 23.

15 (a) (1) It is unlawful for any person or other entity whose business includes
16 engaging in residential real estate related transactions to discriminate against any person
17 in making available a transaction, or in the terms or conditions of a transaction, because
18 of race, color, religion, sex, handicap, marital status, familial status, [or] national origin,
19 OR SOURCE OF INCOME.

20 (2) Nothing in paragraph (1) of this subsection prohibits a person engaged
21 in the business of furnishing appraisals of real property to take into consideration factors
22 other than race, color, religion, national origin, sex, handicap, marital status, [or]
23 familial status, OR SOURCE OF INCOME.

24 (b) It is unlawful, because of race, color, religion, sex, handicap, marital status,
25 familial status, [or] national origin, OR SOURCE OF INCOME, to deny a person access to
26 or membership or participation in a multiple-listing service, real estate brokers'
27 organization or other service, organization, or facility relating to the business of selling or
28 renting dwellings, or to discriminate against a person in the terms or conditions of
29 membership or participation.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1997.