

HOUSE BILL 861

N1

11r0728
CF 11r0914

By: **Delegate Palakovich Carr**

Introduced and read first time: January 29, 2021

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Landlord and Tenant – Reusable Tenant Screening Reports**

3 FOR the purpose of requiring that a reusable tenant screening report contain certain
4 information regarding a prospective tenant; requiring a landlord that does not accept
5 a reusable tenant screening report to notify prospective tenants in a certain manner;
6 requiring a landlord that maintains a website for certain purposes to state on the
7 homepage of the website whether the landlord accepts reusable tenant screening
8 reports; prohibiting a landlord that accepts a reusable tenant screening report from
9 a prospective tenant from assessing certain fees to the prospective tenant; defining
10 a certain term; and generally relating to reusable tenant screening reports.

11 BY adding to

12 Article – Real Property

13 Section 8–119

14 Annotated Code of Maryland

15 (2015 Replacement Volume and 2020 Supplement)

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

18 **Article – Real Property**

19 **8–119.**

20 **(A) IN THIS SECTION, “REUSABLE TENANT SCREENING REPORT” MEANS A**
21 **REPORT PREPARED BY A CONSUMER REPORTING AGENCY AT THE REQUEST AND**
22 **EXPENSE OF A PROSPECTIVE TENANT AND MADE DIRECTLY AVAILABLE TO A**
23 **PROSPECTIVE LANDLORD AT NO CHARGE FOR USE IN THE RENTAL APPLICATION**
24 **PROCESS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) A REUSABLE TENANT SCREENING REPORT SHALL CONTAIN THE**
2 **FOLLOWING INFORMATION REGARDING A PROSPECTIVE TENANT:**

3 **(1) A CONSUMER CREDIT REPORT PREPARED BY A CONSUMER**
4 **REPORTING AGENCY WITHIN THE PREVIOUS 30 DAYS;**

5 **(2) A CRIMINAL HISTORY RECORDS CHECK;**

6 **(3) ANY EVICTION HISTORY;**

7 **(4) VERIFICATION OF EMPLOYMENT; AND**

8 **(5) CURRENT ADDRESS AND RENTAL HISTORY.**

9 **(C) (1) A LANDLORD THAT DOES NOT ACCEPT A REUSABLE TENANT**
10 **SCREENING REPORT SHALL NOTIFY PROSPECTIVE TENANTS IN WRITING OR BY**
11 **POSTING NOTICE IN A CONSPICUOUS MANNER.**

12 **(2) A LANDLORD THAT MAINTAINS A WEBSITE TO ADVERTISE RENTAL**
13 **PROPERTY OR PROVIDE GENERAL INFORMATION TO A CURRENT OR PROSPECTIVE**
14 **TENANT SHALL INCLUDE A STATEMENT ON THE HOMEPAGE OF THE WEBSITE**
15 **INDICATING WHETHER THE LANDLORD ACCEPTS REUSABLE TENANT SCREENING**
16 **REPORTS.**

17 **(D) IF A PROSPECTIVE TENANT PROVIDES A REUSABLE TENANT SCREENING**
18 **REPORT TO A LANDLORD THAT ACCEPTS REUSABLE TENANT SCREENING REPORTS,**
19 **THE LANDLORD MAY NOT CHARGE THE PROSPECTIVE TENANT:**

20 **(1) A FEE FOR THE LANDLORD TO ACCESS THE REPORT; OR**

21 **(2) AN APPLICATION FEE.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2021.