

# HOUSE BILL 964

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CF SB 635

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By: **Delegates Boaf0, Charkoudian, Fair, Fennell, Foley, Grossman, Harris, Hill, Holmes, Lehman, R. Lewis, J. Long, McCaskill, Pasteur, Patterson, Pena–Melnyk, Queen, Roberson, Ruth, Smith, Taveras, Taylor, Toles, Turner, White Holland, Wilkins, Williams, Woods, and Young**

Introduced and read first time: February 2, 2024

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Landlords and Prospective Tenants – Residential Leases – Criminal History**  
3 **Review**  
4 **(Maryland Fair Chance in Housing Act)**

5 FOR the purpose of altering the number of years of criminal history that are reviewed in a  
6 certain reusable tenant screening report; establishing certain prohibitions and  
7 limitations on the review and consideration of a prospective tenant’s criminal  
8 history; requiring a landlord that denies the lease application of a prospective tenant  
9 to provide the individual with a certain document stating the reasons for the denial;  
10 and generally relating to landlords and prospective tenants and criminal history.

11 BY repealing and reenacting, without amendments,  
12 Article – Real Property  
13 Section 8–218(a)  
14 Annotated Code of Maryland  
15 (2023 Replacement Volume)

16 BY repealing and reenacting, with amendments,  
17 Article – Real Property  
18 Section 8–218(b)(2)(i)  
19 Annotated Code of Maryland  
20 (2023 Replacement Volume)

21 BY adding to  
22 Article – Real Property  
23 Section 8–220  
24 Annotated Code of Maryland  
25 (2023 Replacement Volume)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Real Property**

4 8–218.

5 (a) In this section, “reusable tenant screening report” means a report prepared  
6 within the previous 30 days by a consumer reporting agency at the request and expense of  
7 a prospective tenant and made directly available to a prospective landlord at no charge for  
8 use in the rental application process.

9 (b) A reusable tenant screening report shall contain the following information  
10 regarding a prospective tenant:

11 (2) For each jurisdiction indicated as a prior residence of the prospective  
12 tenant, regardless of whether the residence is reported by the prospective tenant or by a  
13 consumer reporting agency preparing a consumer report:

14 (i) A comprehensive criminal history records check for all federal,  
15 state, and local charges against and convictions of the prospective tenant over the previous  
16 [7] 3 years; and

17 8–220.

18 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A  
19 LANDLORD MAY NOT REQUIRE A PROSPECTIVE TENANT TO DISCLOSE ANY CRIMINAL  
20 HISTORY IN AN APPLICATION FOR A LEASE.

21 (2) A LANDLORD MAY REQUIRE A PROSPECTIVE TENANT TO  
22 DISCLOSE WHETHER THE INDIVIDUAL IS REQUIRED TO REGISTER AS A SEX  
23 OFFENDER UNDER FEDERAL OR STATE LAW.

24 (B) A LANDLORD MAY NOT REVIEW OR REQUEST A THIRD PARTY TO REVIEW  
25 MORE THAN THE PREVIOUS 3 YEARS OF ANY CRIMINAL HISTORY OF A PROSPECTIVE  
26 TENANT.

27 (C) A LANDLORD MAY NOT PUBLISH OR CAUSE TO BE PUBLISHED ANY ORAL  
28 OR WRITTEN STATEMENT THAT WOULD REASONABLY DISCOURAGE A PROSPECTIVE  
29 TENANT WITH A CRIMINAL HISTORY FROM APPLYING FOR A LEASE.

30 (D) A LANDLORD THAT DENIES THE LEASE APPLICATION OF A PROSPECTIVE  
31 TENANT SHALL PROVIDE THE INDIVIDUAL WITH A PHYSICAL DOCUMENT STATING  
32 WITH PARTICULARITY EACH REASON FOR THE DENIAL.

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
2   1, 2024.