

HOUSE BILL 313

N1, I3

6lr0819

By: **Delegate Stewart**

Introduced and read first time: January 15, 2026

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2026

CHAPTER _____

1 AN ACT concerning

2 **Landlord and Tenant – Residential Housing – Rental Applications and Tenant**
3 **Screening**

4 FOR the purpose of ~~prohibiting a landlord from collecting an application fee or a screening~~
5 ~~fee from a potential tenant under certain circumstances~~; requiring a landlord to
6 provide certain notice and documentation to a prospective tenant under certain
7 circumstances; providing that a prospective tenant shall be allowed to dispute and
8 provide evidence regarding certain information contained in a tenant screening
9 report; prohibiting a landlord from taking certain actions relating to a certain court
10 proceeding and record; establishing that a landlord is not liable for certain
11 information included in a tenant screening report under certain circumstances and
12 requiring a landlord to report certain information to a person that produces tenant
13 screening reports; establishing certain requirements for a person that produces
14 tenant screening reports; ~~making a violation of this Act an unfair, abusive, or~~
15 ~~deceptive trade practice subject to enforcement and certain penalties under the~~
16 ~~Maryland Consumer Protection Act~~; and generally relating to rental applications
17 and prospective tenant screening.

18 ~~BY repealing and reenacting, with amendments,~~
19 ~~Article — Commercial Law~~
20 ~~Section 13–301(14)(xlvii)~~
21 ~~Annotated Code of Maryland~~
22 ~~(2025 Replacement Volume)~~

23 ~~BY repealing and reenacting, without amendments,~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~Article – Commercial Law~~
 2 ~~Section 13–301(14)(xlviii)~~
 3 ~~Annotated Code of Maryland~~
 4 ~~(2025 Replacement Volume)~~

5 ~~BY adding to~~
 6 ~~Article – Commercial Law~~
 7 ~~Section 13–301(14)(xlix)~~
 8 ~~Annotated Code of Maryland~~
 9 ~~(2025 Replacement Volume)~~

10 BY adding to
 11 Article – Real Property
 12 Section 8–222
 13 Annotated Code of Maryland
 14 (2023 Replacement Volume and 2025 Supplement)

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

17 ~~Article – Commercial Law~~

18 ~~13–301.~~

19 ~~Unfair, abusive, or deceptive trade practices include any:~~

20 ~~(14) Violation of a provision of:~~

21 ~~(xlvii) Title 14, Subtitle 50 of this article; [or]~~

22 ~~(xlviii) Section 13–411.1(e)(2) of the Transportation Article; or~~

23 ~~(XLIX) SECTION 8–222 OF THE REAL PROPERTY ARTICLE;~~

24 ~~OR~~

25 Article – Real Property

26 8–222.

27 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
 28 INDICATED.

29 (2) “ADVERSE ACTION” MEANS:

30 (I) DENIAL OF A PROSPECTIVE TENANT’S RENTAL
 31 APPLICATION;

1 (II) CONDITIONAL ACCEPTANCE OF A PROSPECTIVE TENANT'S
2 RENTAL APPLICATION; OR

3 (III) PLACEMENT OF A PROSPECTIVE TENANT ON A WAITING
4 LIST BECAUSE OF SCREENING CRITERIA.

5 (3) (I) "CONDITIONAL ACCEPTANCE" MEANS THE ACCEPTANCE OF
6 A PROSPECTIVE TENANT'S APPLICATION CONTINGENT ON A SUBSEQUENT ACTION
7 OR CONDITION.

8 (II) "CONDITIONAL ACCEPTANCE" INCLUDES:

9 1. SUBJECTING A PROSPECTIVE TENANT TO AN
10 INCREASED RENTAL RATE;

11 2. REQUIRING AN INCREASED SECURITY DEPOSIT; AND

12 3. REQUIRING A COSIGNATURE.

13 (4) "OUTCOME" INCLUDES A CASE:

14 (I) THAT WAS DISMISSED;

15 (II) THAT WAS CANCELED;

16 (III) THAT WAS REDEEMED; OR

17 (IV) WHERE THE TENANT PREVAILED.

18 (5) (I) "PROCEEDING" MEANS A FAILURE TO PAY RENT
19 PROCEEDING INITIATED BY A LANDLORD UNDER § 8-401 OF THIS TITLE NOT
20 RESULTING IN A JUDGMENT OF POSSESSION IN FAVOR OF THE LANDLORD.

21 (II) "PROCEEDING" INCLUDES THE FILING OF A PETITION BY A
22 LANDLORD FOR THE FAILURE OF A TENANT TO PAY RENT REGARDLESS OF WHETHER
23 A HEARING IS HELD BY THE COURT.

24 ~~(5) (6) (I) "RECORD" HAS THE MEANING STATED IN § 8-502(A)~~
25 ~~OF THIS TITLE~~ MEANS AN OFFICIAL RECORD OF AN ACTIVE, PENDING, OR FINAL
26 COURT PROCEEDING KEPT BY THE CLERK OF THE COURT OR OTHER COURT
27 PERSONNEL.

28 (II) "RECORD" INCLUDES:

1 **1. AN INDEX, A DOCKET ENTRY, A PETITION, A**
 2 **MEMORANDUM, A TRANSCRIPTION OF PROCEEDINGS, AN ELECTRONIC RECORDING,**
 3 **AN ORDER, AND A JUDGMENT; AND**

4 **2. ANY ELECTRONIC INFORMATION ABOUT A**
 5 **PROCEEDING ON A WEBSITE MAINTAINED BY THE MARYLAND JUDICIARY.**

6 ~~(6)~~ **(7) (I) “SHIELDED RECORD” MEANS A RECORD PROTECTED**
 7 **FROM PUBLIC INSPECTION UNDER § 8-502 OR § 8-503 OF THIS TITLE OR THAT THE**
 8 **COURT HAS OTHERWISE SEALED OR ORDERED INACCESSIBLE TO MEMBERS OF THE**
 9 **PUBLIC.**

10 **(II) “SHIELDED RECORD” INCLUDES A RECORD SHIELDED,**
 11 **SUPPRESSED, OR SEALED IN ANOTHER JURISDICTION UNDER PROVISIONS**
 12 **EQUIVALENT TO THOSE OF THE STATE.**

13 ~~(7)~~ **(8) “TENANT SCREENING REPORT” MEANS ANY CONSUMER**
 14 **REPORT, TENANT SCREENING SERVICE PRODUCT, OR SIMILAR INFORMATION USED**
 15 **BY A LANDLORD TO EVALUATE A RENTAL APPLICATION.**

16 **(B) (1) ~~A LANDLORD MAY NOT COLLECT AN APPLICATION FEE OR~~**
 17 **~~SCREENING FEE FOR A RENTAL UNIT UNLESS THE RENTAL UNIT:~~**

18 ~~(I) IS AVAILABLE FOR LEASE; OR~~

19 ~~(II) WILL BECOME AVAILABLE FOR LEASE WITHIN 30 DAYS~~
 20 **~~AFTER THE LANDLORD RECEIVES THE APPLICATION.~~**

21 ~~(2) BEFORE ACCEPTING AN APPLICATION FEE OR A SCREENING FEE,~~
 22 **~~A LANDLORD SHALL PROVIDE A WRITTEN DISCLOSURE TO A PROSPECTIVE TENANT~~**
 23 **THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL CREATE**
 24 **A DISCLOSURE FORM THAT INCLUDES:**

25 **(I) THE INFORMATION INCLUDED IN A TENANT SCREENING**
 26 **REPORT;**

27 **(II) THE CRITERIA THAT MAY RESULT IN THE DENIAL OR**
 28 **CONDITIONAL ACCEPTANCE OF A RENTAL APPLICATION;**

29 **(III) THE NAME AND CONTACT INFORMATION OF ANY CONSUMER**
 30 **REPORTING AGENCY OR TENANT SCREENING SERVICE USED BY THE LANDLORD TO**
 31 **OBTAIN A TENANT SCREENING REPORT; AND**

1 (IV) THE MAXIMUM AMOUNT THAT MAY BE CHARGED FOR AN
2 APPLICATION FEE.

3 (2) BEFORE ACCEPTING AN APPLICATION FEE OR A SCREENING FEE,
4 A LANDLORD SHALL PROVIDE THE DISCLOSURE DESCRIBED IN PARAGRAPH (1) OF
5 THIS SUBSECTION TO A PROSPECTIVE TENANT.

6 (C) (1) A LANDLORD MAY NOT TAKE ADVERSE ACTION AGAINST A
7 PROSPECTIVE TENANT UNLESS THE LANDLORD PROVIDES TO THE PROSPECTIVE
8 TENANT:

9 (I) WRITTEN NOTICE:

10 1. STATING THE SPECIFIC REASONS FOR THE ADVERSE
11 ACTION;

12 2. AFFIRMING THE LANDLORD DID NOT KNOWINGLY
13 CONSIDER ANY ~~PROCEEDING OR~~ SHIELDED RECORD; ~~AND~~

14 3. AFFIRMING THE LANDLORD DID NOT RELY ON AN
15 UNSHIELDED RECORD THAT IS 3 YEARS OLD OR OLDER IN A TENANT SCREENING
16 REPORT THAT DID NOT PROVIDE REASONABLY AVAILABLE INFORMATION
17 REGARDING THE DISPOSITION OR OUTCOME OF THE CLAIM AGAINST THE
18 PROSPECTIVE TENANT; AND

19 ~~3.~~ 4. IDENTIFYING THE TENANT SCREENING REPORT OR
20 OTHER INFORMATION THE LANDLORD RELIED ON IN CONSIDERING THE
21 PROSPECTIVE TENANT; ~~AND~~

22 (II) A COPY OF ANY SCREENING REPORT USED BY THE
23 LANDLORD IN REACHING A DETERMINATION OR INFORMATION SUFFICIENT TO
24 ALLOW THE PROSPECTIVE TENANT TO INDEPENDENTLY OBTAIN A COPY OF THE
25 TENANT SCREENING REPORT; AND

26 (III) ANY OTHER INFORMATION REQUIRED FOR ADVERSE
27 ACTION NOTICE UNDER THE FEDERAL FAIR CREDIT REPORTING ACT.

28 (2) (I) A PROSPECTIVE TENANT SHALL BE ALLOWED TO DISPUTE
29 AND PROVIDE EVIDENCE REGARDING INACCURATE OR INCOMPLETE INFORMATION
30 CONTAINED IN A TENANT SCREENING REPORT.

31 (II) A LANDLORD THAT USES A SCREENING REPORT SHALL
32 NOTIFY A PROSPECTIVE TENANT OF THE RIGHT TO DISPUTE THE REPORT.

1 (D) (1) A LANDLORD MAY NOT:

2 ~~(1)~~ (I) REQUEST OR REQUIRE A PROSPECTIVE TENANT TO
3 DISCLOSE INFORMATION RELATING TO:

4 ~~(I)~~ ~~A PROCEEDING AGAINST THE PROSPECTIVE TENANT; OR~~

5 ~~(II)~~ ~~A SHIELDED RECORD;~~

6 ~~(2)~~ (II) MAKE AN ORAL OR WRITTEN INQUIRY TO ANY PERSON
7 REGARDING A PROSPECTIVE TENANT'S ~~PROCEEDING OR~~ SHIELDED RECORD;

8 ~~(3)~~ (III) 1. ~~CONSIDER~~ SUBJECT TO PARAGRAPH (2) OF THIS
9 SUBSECTION, RELY ON A PROSPECTIVE TENANT'S ~~PROCEEDING OR~~ SHIELDED
10 RECORD IN MAKING A DETERMINATION REGARDING A RENTAL APPLICATION; OR

11 2. RELY ON AN UNSHIELDED RECORD THAT IS 3 YEARS
12 OLD OR OLDER IN A TENANT SCREENING REPORT THAT DID NOT PROVIDE
13 REASONABLY AVAILABLE INFORMATION REGARDING THE DISPOSITION OR
14 OUTCOME OF THE CLAIM AGAINST THE PROSPECTIVE TENANT;

15 ~~(4)~~ (IV) CONDITIONALLY ACCEPT A PROSPECTIVE TENANT'S
16 APPLICATION CONTINGENT ON THE PROSPECTIVE TENANT'S DISCLOSURE OF A
17 ~~PROCEEDING OR~~ SHIELDED RECORD; ~~OR~~

18 ~~(5)~~ (V) TAKE ADVERSE ACTION BASED ON A PROSPECTIVE
19 TENANT'S REFUSAL TO DISCLOSE A ~~PROCEEDING OR~~ SHIELDED RECORD; OR

20 (VI) TAKE ADVERSE ACTION BASED SOLELY ON AN UNSHIELDED
21 RECORD THAT DOES NOT INCLUDE REASONABLY AVAILABLE INFORMATION
22 INDICATING THE DISPOSITION OR OUTCOME OF THE CLAIM AGAINST THE
23 PROSPECTIVE TENANT.

24 (2) A LANDLORD IS NOT LIABLE FOR A DETERMINATION BASED ON A
25 SHIELDED RECORD IF:

26 (I) THE LANDLORD RELIED IN GOOD FAITH ON A TENANT
27 SCREENING REPORT PRODUCED BY A THIRD PARTY; AND

28 (II) THE LANDLORD DID NOT HAVE ACTUAL KNOWLEDGE THAT
29 THE RECORD WAS SHIELDED.

30 (E) (1) A PERSON THAT PRODUCES TENANT SCREENING REPORTS:

1 (I) SHALL IMPLEMENT AND MAINTAIN REASONABLE
 2 PROCEDURES TO PREVENT THE DISCLOSURE OF INFORMATION REGARDING A
 3 ~~PROCEEDING OR SHIELDED RECORD; AND~~

4 (II) MAY NOT DISCLOSE INFORMATION ABOUT A ~~PROCEEDING~~
 5 ~~OR SHIELDED RECORD; AND~~

6 (III) FOR AN UNSHIELDED RECORD, SHALL CLEARLY AND
 7 ACCURATELY INDICATE THE DISPOSITION OR OUTCOME OF THE CLAIM AGAINST THE
 8 SUBJECT OF THE TENANT SCREENING REPORT.

9 (2) A PERSON THAT DISCLOSES INFORMATION OF A ~~PROCEEDING OR~~
 10 ~~SHIELDED RECORD~~ SHALL PROVIDE TO ALL PARTIES A CORRECTED TENANT
 11 SCREENING REPORT WITH THE IMPROPERLY DISCLOSED INFORMATION REMOVED
 12 WITHIN 5 BUSINESS DAYS AFTER LEARNING OF THE DISCLOSURE.

13 (F) A PROSPECTIVE TENANT MAY NOT WAIVE ANY OF THE PROTECTIONS
 14 ESTABLISHED UNDER THIS SECTION AND ANY ATTEMPTED WAIVER BY A
 15 PROSPECTIVE TENANT IS VOID.

16 (G) A LANDLORD THAT VIOLATES SUBSECTION (B), (C), OR (D) OF THIS
 17 SECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$500 FOR EACH
 18 VIOLATION.

19 (H) ~~(1) A VIOLATION OF SUBSECTION (B) OR (C) OF THIS SECTION;~~

20 ~~(I) IS AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE~~
 21 ~~WITHIN THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND~~

22 ~~(II) IS SUBJECT TO THE ENFORCEMENT AND PENALTY~~
 23 ~~PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE, EXCEPT~~
 24 ~~§ 13-411 OF THE COMMERCIAL LAW ARTICLE.~~

25 ~~(2) IN ADDITION TO THE ENFORCEMENT AND PENALTY PROVISIONS~~
 26 ~~DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, AN~~ AN INDIVIDUAL INJURED
 27 BY A VIOLATION OF SUBSECTION (B) OR (C) OF THIS SECTION MAY SEEK INJUNCTIVE
 28 RELIEF AND A REFUND OF ANY APPLICATION OR SCREENING FEE PAID BY THE
 29 INDIVIDUAL.

30 (I) AN INDIVIDUAL INJURED BY A VIOLATION OF SUBSECTION (D) OF THIS
 31 SECTION MAY BRING AN ACTION FOR:

32 (1) DAMAGES;

1 **(2) A REFUND OF ANY APPLICATION OR SCREENING FEE;**

2 **(3) INJUNCTIVE AND OTHER EQUITABLE RELIEF; AND**

3 **(4) REASONABLE ATTORNEY’S FEES AND COURT COSTS.**

4 **(J) AN INDIVIDUAL INJURED BY A VIOLATION OF SUBSECTION (E) OF THIS**
5 **SECTION MAY BRING AN ACTION FOR INJUNCTIVE OR OTHER EQUITABLE RELIEF,**
6 **INCLUDING REQUIRING A TENANT SCREENING COMPANY TO SEND CORRECTIVE**
7 **NOTICES.**

8 **(K) EXCEPT FOR THE PROHIBITION AGAINST THE KNOWING USE OF A**
9 **SHIELDED RECORD IN REACHING A DETERMINATION UNDER SUBSECTION (D) OF**
10 **THIS SECTION, THIS SECTION MAY NOT BE INTERPRETED TO PROHIBIT A LANDLORD**
11 **FROM RELYING ON A LAWFULLY OBTAINED CREDIT SCORE OR CONSUMER REPORT**
12 **SOLELY BECAUSE THE CREDIT SCORE OR CONSUMER REPORT MAY RELATE TO**
13 **EVICITION ACTIVITY.**

14 ~~**(K)**~~ **(L) THE ATTORNEY GENERAL MAY ADOPT REGULATIONS TO CARRY**
15 **OUT THIS SECTION.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.