

HOUSE BILL 313

N1, I3

6lr0819

By: **Delegate Stewart**

Introduced and read first time: January 15, 2026

Assigned to: Economic Matters

A BILL ENTITLED

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 certain requirements for a person that produces
11 tenant screening reports; making a violation of this Act an unfair, abusive, or
12 deceptive trade practice subject to enforcement and certain penalties under the
13 Maryland Consumer Protection Act; and generally relating to rental applications
14 and prospective tenant screening.

15 BY repealing and reenacting, with amendments,
16 Article – Commercial Law
17 Section 13–301(14)(xlvii)
18 Annotated Code of Maryland
19 (2025 Replacement Volume)

20 BY repealing and reenacting, without amendments,
21 Article – Commercial Law
22 Section 13–301(14)(xlviii)
23 Annotated Code of Maryland
24 (2025 Replacement Volume)

25 BY adding to
26 Article – Commercial Law
27 Section 13–301(14)(xlix)
28 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2025 Replacement Volume)

2 BY adding to
3 Article – Real Property
4 Section 8–222
5 Annotated Code of Maryland
6 (2023 Replacement Volume and 2025 Supplement)

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

9 **Article – Commercial Law**

10 13–301.

11 Unfair, abusive, or deceptive trade practices include any:

12 (14) Violation of a provision of:

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

14 (xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

15 (XLIX) **SECTION 8–222 OF THE REAL PROPERTY ARTICLE;**

16 **OR**

17 **Article – Real Property**

18 **8–222.**

19 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 (2) **“ADVERSE ACTION” MEANS:**

22 (I) **DENIAL OF A PROSPECTIVE TENANT’S RENTAL**
23 **APPLICATION;**

24 (II) **CONDITIONAL ACCEPTANCE OF A PROSPECTIVE TENANT’S**
25 **RENTAL APPLICATION; OR**

26 (III) **PLACEMENT OF A PROSPECTIVE TENANT ON A WAITING**
27 **LIST.**

4 (II) "CONDITIONAL ACCEPTANCE" INCLUDES:

15 (5) "RECORD" HAS THE MEANING STATED IN § 8-502(A) OF THIS
16 TITLE.

(7) "TENANT SCREENING REPORT" MEANS ANY CONSUMER REPORT, TENANT SCREENING SERVICE PRODUCT, OR SIMILAR INFORMATION USED BY A LANDLORD TO EVALUATE A RENTAL APPLICATION.

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

28 (I) IS AVAILABLE FOR LEASE; OR

29 (II) WILL BECOME AVAILABLE FOR LEASE WITHIN 30 DAYS
30 AFTER THE LANDLORD RECEIVES THE APPLICATION.

4 (I) THE INFORMATION INCLUDED IN A TENANT SCREENING
5 REPORT;

6 (II) THE CRITERIA THAT MAY RESULT IN THE DENIAL OR
7 CONDITIONAL ACCEPTANCE OF A RENTAL APPLICATION;

11 (IV) THE MAXIMUM AMOUNT THAT MAY BE CHARGED FOR AN
12 APPLICATION FEE.

13 (C) (1) A LANDLORD MAY NOT TAKE ADVERSE ACTION AGAINST A
14 PROSPECTIVE TENANT UNLESS THE LANDLORD PROVIDES TO THE PROSPECTIVE
15 TENANT:

16 (I) WRITTEN NOTICE:

24 (II) A COPY OF ANY SCREENING REPORT USED BY THE
25 LANDLORD IN REACHING A DETERMINATION.

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

1 (D) A LANDLORD MAY NOT:

2 (1) REQUEST OR REQUIRE A PROSPECTIVE TENANT TO DISCLOSE

3 INFORMATION RELATING TO:

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

5 (II) A SHIELDED RECORD;

6 (2) MAKE AN ORAL OR WRITTEN INQUIRY TO ANY PERSON

7 REGARDING A PROSPECTIVE TENANT'S PROCEEDING OR SHIELDED RECORD;

8 (3) CONSIDER A PROSPECTIVE TENANT'S PROCEEDING OR SHIELDED

9 RECORD IN MAKING A DETERMINATION REGARDING A RENTAL APPLICATION;

10 (4) CONDITIONALLY ACCEPT A PROSPECTIVE TENANT'S

11 APPLICATION CONTINGENT ON THE PROSPECTIVE TENANT'S DISCLOSURE OF A

12 PROCEEDING OR SHIELDED RECORD; OR

13 (5) TAKE ADVERSE ACTION BASED ON A PROSPECTIVE TENANT'S

14 REFUSAL TO DISCLOSE A PROCEEDING OR SHIELDED RECORD.

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

16 (I) SHALL IMPLEMENT AND MAINTAIN REASONABLE

17 PROCEDURES TO PREVENT THE DISCLOSURE OF INFORMATION REGARDING A

18 PROCEEDING OR SHIELDED RECORD; AND

19 (II) MAY NOT DISCLOSE INFORMATION ABOUT A PROCEEDING

20 OR SHIELDED RECORD.

21 (2) A PERSON THAT DISCLOSES INFORMATION OF A PROCEEDING OR

22 SHIELDED RECORD SHALL PROVIDE TO ALL PARTIES A CORRECTED TENANT

23 SCREENING REPORT WITH THE IMPROPERLY DISCLOSED INFORMATION REMOVED

24 WITHIN 5 BUSINESS DAYS AFTER LEARNING OF THE DISCLOSURE.

25 (F) A PROSPECTIVE TENANT MAY NOT WAIVE ANY OF THE PROTECTIONS

26 ESTABLISHED UNDER THIS SECTION AND ANY ATTEMPTED WAIVER BY A

27 PROSPECTIVE TENANT IS VOID.

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

4 (H) (1) A VIOLATION OF SUBSECTION (B) OR (C) OF THIS SECTION:

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

7 (II) IS SUBJECT TO THE ENFORCEMENT AND PENALTY
8 PROVISIONS CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE, EXCEPT
9 § 13-411 OF THE COMMERCIAL LAW ARTICLE.

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

17 (1) DAMAGES;

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

(3) INJUNCTIVE AND OTHER EQUITABLE RELIEF; AND

20 (4) REASONABLE ATTORNEY'S FEES AND COURT COSTS.

21 (J) AN INDIVIDUAL INJURED BY A VIOLATION OF SUBSECTION

21 (J) AN INDIVIDUAL INJURED BY A VIOLATION OF SUBSECTION (E) OF THIS
22 SECTION MAY BRING AN ACTION FOR INJUNCTIVE OR OTHER EQUITABLE RELIEF,
23 INCLUDING REQUIRING A TENANT SCREENING COMPANY TO SEND CORRECTIVE
24 NOTICES.

25 (K) THE ATTORNEY GENERAL MAY ADOPT REGULATIONS TO CARRY OUT
26 THIS SECTION.

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