

# HOUSE BILL 434

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HB 817/25 – ENT

6lr1919

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By: **Delegates Palakovich Carr and Stewart**

Introduced and read first time: January 22, 2026

Assigned to: Economic Matters

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## A BILL ENTITLED

- 1    AN ACT concerning
- 2    **Residential Leases – Use of Algorithmic Device by Landlord to Determine Rent, Occupancy, and Lease Terms – Prohibition**
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- 4    FOR the purpose of prohibiting a landlord from using certain algorithmic devices to determine the amount of rent to charge, occupancy levels of, and lease terms and conditions for a residential dwelling unit; making a violation of this Act an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act; and generally relating to a prohibition against the use of certain technology by landlords to determine rent prices, occupancy levels, and lease terms and conditions.
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- 10    BY repealing and reenacting, with amendments,  
11       Article – Commercial Law  
12       Section 13–301(14)(xlvii)  
13       Annotated Code of Maryland  
14       (2025 Replacement Volume)
- 15    BY repealing and reenacting, without amendments,  
16       Article – Commercial Law  
17       Section 13–301(14)(xlviii)  
18       Annotated Code of Maryland  
19       (2025 Replacement Volume)
- 20    BY adding to  
21       Article – Commercial Law  
22       Section 13–301(14)(xlix)  
23       Annotated Code of Maryland  
24       (2025 Replacement Volume)
- 25    BY adding to  
26       Article – Real Property  
27       Section 8–222

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.



# Annotated Code of Maryland (2023 Replacement Volume and 2025 Supplement)

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

## Article – Commercial Law

6 13-301.

Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

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

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

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

12 OR

## Article – Real Property

14 8-222.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
CATED.

17                   **(2) (I)**    “ALGORITHMIC DEVICE” MEANS A DEVICE THAT USES ONE  
18 OR MORE ALGORITHMS TO PERFORM CALCULATIONS OF DATA, INCLUDING DATA  
19 CONCERNING LOCAL OR STATEWIDE RENT AMOUNTS BEING CHARGED TO TENANTS  
20 BY LANDLORDS, TO:

26 (II) "ALGORITHMIC DEVICE" INCLUDES A PRODUCT THAT  
27 INCORPORATES AN ALGORITHMIC DEVICE.

(III) "ALGORITHMIC DEVICE" DOES NOT INCLUDE:

1                   1. A PERIODIC REPORT PUBLISHED NOT MORE  
2 FREQUENTLY THAN ONCE PER MONTH BY A TRADE ASSOCIATION THAT RECEIVES  
3 RENTER DATA AND PUBLISHES IT IN AN AGGREGATED AND ANONYMOUS MANNER;

4                   2. A PRODUCT USED FOR THE PURPOSE OF  
5 ESTABLISHING RENT OR INCOME LIMITS IN ACCORDANCE WITH THE AFFORDABLE  
6 HOUSING PROGRAM GUIDELINES OF A LOCAL GOVERNMENT, THE STATE, THE  
7 FEDERAL GOVERNMENT, OR ANOTHER POLITICAL SUBDIVISION; OR

8                   3. INFORMATION COLLECTED BY AND SHARED AMONG  
9 WHOLLY OWNED SUBSIDIARIES OF THE SAME PARENT ENTITY, OR AMONG ENTITIES  
10 OR PROPERTIES OWNED BY THE SAME OWNER, ON HISTORICAL OR  
11 CONTEMPORANEOUS PRICES, SUPPLY LEVELS, OR LEASE OR RENTAL CONTRACT  
12 TERMINATION AND RENEWAL DATES AND RESIDENTIAL DWELLING UNITS.

13                   (3) (I) "NONPUBLIC COMPETITOR DATA" MEANS INFORMATION  
14 THAT IS:

15                   1. NOT WIDELY AVAILABLE OR EASILY ACCESSIBLE TO  
16 THE PUBLIC REGARDLESS OF WHETHER THE INFORMATION IS ATTRIBUTABLE TO A  
17 SPECIFIC COMPETITOR OR ANONYMIZED; AND

18                   2. DERIVED FROM OR OTHERWISE PROVIDED TO A  
19 PERSON BY ANOTHER PERSON THAT COMPETES IN THE SAME MARKET AS THE  
20 PERSON, OR IN A RELATED MARKET.

21                   (II) "NONPUBLIC COMPETITOR DATA" INCLUDES INFORMATION  
22 REGARDING:

23                   1. ACTUAL RENT PRICES;

24                   2. OCCUPANCY RATES;

25                   3. LEASE START AND END DATES; AND

26                   4. OTHER SIMILAR INFORMATION.

27                   (4) "RENT" MEANS THE FIXED, PERIODIC PAYMENTS THAT A TENANT  
28 PAYS THE LANDLORD TO RESIDE IN A RENTAL UNIT.

29                   (B) A LANDLORD MAY NOT EMPLOY, USE, OR RELY ON, OR CAUSE ANOTHER  
30 TO EMPLOY, USE, OR RELY ON, AN ALGORITHMIC DEVICE THAT USES,  
31 INCORPORATES, OR WAS TRAINED WITH NONPUBLIC COMPETITOR DATA TO SET:

1                   **(1) THE AMOUNT OF RENT TO BE CHARGED FOR THE LEASE OF**  
2 **RESIDENTIAL PROPERTY, INCLUDING DETERMINING ANY CHANGE IN RENT TO BE**  
3 **CHARGED FOR THE RENEWAL OF A LEASE;**

4                   **(2) LEASE RENEWAL TERMS;**

5                   **(3) OCCUPANCY LEVELS; OR**

6                   **(4) OTHER LEASE TERMS AND CONDITIONS.**

7                   **(C) A VIOLATION OF THIS SECTION IS:**

8                   **(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN**  
9 **THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND**

10                  **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**  
11 **CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.**

12                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
13 apply only prospectively and may not be applied or interpreted to have any effect on or  
14 application to any landlord's calculation of the amount of rent that the landlord charges for  
15 the occupancy of a residential property under a rental agreement that is executed before  
16 the effective date of this Act.

17                  SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2026.